

# THE EU'S RESPONSIBILITY AT THE WTO: ENVIRONMENT GENDER & DEVELOPMENT



**WIDE**

Globalising gender equality and social justice

 **Friends of  
the Earth  
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AT THE WTO:  
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DEVELOPMENT**

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A report of a WIDE-FoEE public hearing under the patronage of the European Parliament's Intergroup on Globalisation and with the support of the Heinrich Böll Foundation  
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## Abbreviations and acronyms

ACP	African, Caribbean and Pacific [countries]
AoA	Agreement on Agriculture
CAP	Common Agricultural Policy
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CITES	Convention on International Trade in Endangered Species of Wild Flora and Fauna
DDA	Doha Development Agenda
DG	Directorate General
EC	European Commission
EGS	environmental goods and services
EP	European Parliament
EPA	Economic Partnership Agreement
FAO	Food and Agriculture Organization
FLEGT	EU action plan for Forest Law Enforcement, Governance and Trade
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
GDP	Gross Domestic Product
GMO	genetically modified organism
HIPC	highly indebted poor countries
ILO	International Labour Organization
IMF	International Monetary Fund
IFI	international financial institution
IPRs	intellectual property rights
LDCs	least developed countries
LMO	Living Modified Organisms
MDGs	Millennium Development Goals
MEA	multilateral environmental agreement
MEP	Member of the European Parliament
NAMA	non-agricultural market access
NAFTA	North American Free Trade Agreement
NTB	non-tariff barrier
ODA	official development assistance
REACH	EU regulatory framework for the Registration, Evaluation and Authorisation of Chemicals
SAPs	structural adjustment programmes
SDT	special and differential treatment
SIA	sustainability impact assessment
TNCs	Transnational corporations
TRIMS	Trade-Related Investment Measures
TRIPS	Trade-Related Aspects of Intellectual Property Rights
UNCTAD	United Nations Conference on Trade And Development
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNIFEM	United Nations Development Fund for Women
WAWONs	women and water observatory networks
WB	World Bank
WSSD	World Summit on Sustainable Development
WTO	World Trade Organization

# FOREWORD

The aim of this publication is to contribute to a constructive dialogue between civil society representatives from the North and the South and representatives from the EU that could feed into an EU trade policy consistent with social and gender justice and environmental sustainability.

The WTO's 6th Ministerial Conference in Hong Kong in December 2005 has proven once again that the WTO is concerned only with establishing a free trade regime which dismisses questions of social justice, the environment and sustainable development. Instead of putting 'development at the heart of the WTO' as stated in the Doha Declaration of 2001, developing countries were pushed – by the EU, among others – to liberalise their agriculture, industrial goods and services sectors further. However, as European networks promoting gender equality and social justice, we challenge the assumption that applying a one-size-fits-all-liberalisation strategy, increasing trade and opening markets indiscriminately will yield equitable development. Instead, we are striving for the opening of the free trade agenda to economic alternatives and heterodox policy options with the aim of transforming it into a truly sustainable and just development agenda.

This publication consists of two parts. The first part reports on the public hearing entitled 'The EU's responsibility at the WTO: Environment, gender and development'. It highlights issues such as the commodification of natural resources under the WTO, the importance of people's food sovereignty, the gender dimension of the trade agenda, and biosafety. Moreover it addresses the WTO negotiations in the area of agriculture, non-agricultural market access, services, and trade and envi-

ronment, taking into consideration the outcome of Beijing + 10, the World Summit on Sustainable Development and the Millennium Development Goals. The second part consists of an analysis of the outcome of the Hong Kong Ministerial meeting from a feminist and environmentalist perspective.

We hope this publication will help to generate a deeper understanding of what is at stake, from the point of view of social and gender justice and environmental sustainability, in the current negotiations at the WTO and would like to thank all contributors for their support.



**Alexandra Wandel**

Trade, Environment and Sustainability Programme Coordinator, FoEE



**Barbara Specht**

Information and Advocacy Officer, WIDE

# EXECUTIVE SUMMARY

Under the patronage of the European Parliament Intergroup on Globalisation and with financial support from the Heinrich Böll Foundation (HBF), the Sigrid Rausing and the European Commission's Directorate General on Environment, a public hearing entitled 'The EU's responsibility at the WTO: Environment, gender and development' was organised jointly by Friends of the Earth Europe and Women in Development Europe on 9 November 2005.

The hearing was organised as a contribution to the EU's preparation for the 6th Ministerial Conference, held at Hong Kong in December 2005. The European Union has been a driving force in the World Trade Organization (WTO) pressing for a comprehensive trade round. The Doha Development Agenda negotiations are expected to have far-reaching effects on environmental sustainability, development, human rights and gender inequality in both developed and developing countries. The hearing aimed to provide political space in Brussels for civil society representatives from the North and the South and representatives from the EU, notably from the European Commission, the European Parliament and the trade committee 133, to engage in a constructive dialogue that could feed into EU proposals for trade rules that are consistent with social and gender justice and environmental sustainability worldwide.

The event was well attended with over 190 participants from 22 countries. Participants and speakers represented a wide range of people from both EU and Southern countries, including Members of the European Parliament (MEPs) and policy-makers concerned with trade, agriculture, development and environment in the European Parliament and Commission, and academics, activists and representatives of NGOs carrying out research and advocacy around the WTO, the Doha Round negotiations and the impacts of trade liberalisation on people and the environment. Trade Commissioner Peter Mandelson was unfortunately unable to be present as he had planned, but the position of the Commissioner was ably and eloquently conveyed by Cabinet member Renate Nikolay, who also gave an update on the state of play with the negotiations.

The hearing's three sessions dealt with the commodification of natural resources; the agriculture negotiations, food sovereignty and biosafety; and the trade negotiations in the light of international governance.

Each consisted of an exposition of the EU's view on the issue with responses from civil society actors, followed by general discussion.

Practically all natural resources are on the table for trade liberalisation in the Doha agenda. Yet the protection of natural resources is essential – not incidental – to poverty eradication. Water could even be regarded as an implicit right. Rupert Schlegelmilch of DG Trade said that the WTO was set up to regulate world trade, not to be responsible for human rights or environmental protection. However, he felt that, with good governance, the WTO could play a positive role in the management of world resources, and he defended the EU's role in promoting a policy approach in which work on trade must address the environment and poverty. However, other speakers questioned whether the WTO was the appropriate body to deal with the treatment of natural resources. Ronnie Hall of Friends of the Earth International issued a call for natural resources to be excluded from the non-agricultural market access (NAMA) negotiations and for export tariffs and non-tariff barriers on them to be retained.

Session 2 provoked the question: Has agriculture hijacked the development round? Development is not simply about agriculture, and Wolfgang Sachs of the Wuppertal Institute for Climate, Energy and the Environment had reminded participants early on that the strong focus on agricultural exports and EU agricultural subsidies in the negotiations obscures the fact that import protection is more important for poor countries than export opportunities. Nevertheless, the Common Agricultural Policy (CAP) reform was a hotly debated subject. Mariano Iossa, ActionAid International, said that it predominantly helps rich farmers in rich countries of Europe and does little if anything to help poor farmers in poor countries.

As Sirra Ndow, Network of African Women Economists, pointed out, women are the main users of natural resources in sustainable development. Including natural resources in the negotiations, and greater liberalisation of them will have a significant impact on gender relations, benefiting men, not women. But it is painfully clear that gender equality has not been mainstreamed into either the negotiations or the EC's inputs into them. It was also difficult to maintain a steady focus on gender throughout the hearing, although it was pointed out, not only that trade liberali-



sation is harmful to poor women everywhere but also that the WTO's disciplines are inconsistent with the mandates on women's rights enshrined in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Beijing and its successor conferences, the Millennium Development Goals (MDGs), and the EU's own gender equality policies. Trade has been integrated into gender debates far more than gender equality into trade debates.

Opening the final session, Frithjof Schmidt MEP suggested that debates about trade and development often seem to happen on two separate planets, one for sustainable development and gender justice, and the other for the WTO and the trade negotiations. At times the hearing too seemed to be taking place on two planets - or possibly three, with gender as the third. The EU's belief, as stated by Renate Nikolay, is that free trade can promote development and lift millions of people out of poverty, and that there is no real alternative to the Doha development agenda. Civil society representatives advanced opposite views: that extreme liberalisa-

tion of trade can only harm developing countries and at worst can lead to violence and conflict; that a free trade arena cannot be a development round because the playing field is not level and the tactics are divisive; that many alternatives to the Doha agenda are already being tried in developing countries, if only extreme trade liberalisation would allow them the space to develop.

Changes were called for in both the WTO and the EU. Participants stressed the need to frame the WTO by UN treaties and ILO Conventions and bring it under the UN umbrella. The WTO needs to clarify its relationship to the multilateral environmental agreements, and its procedures need to be more inclusive, democratic and transparent. The EU needs to look more closely at the impact of the negotiations on poverty, gender equality, the environment and sustainable natural resource management, and to rethink its negotiating position from the standpoint of cooperation, democracy, and equity.

Mandy Macdonald

# Proceedings

## WELCOME AND INTRODUCTORY SESSION: FAIR FUTURE: ENVIRONMENT, HUMAN RIGHTS & WORLD TRADE

The session was chaired by **Barbara Unmüssig**<sup>1</sup>, who is a member of the Board of the Heinrich Böll Foundation and is in charge of the Foundation's strategies and programmes in developing countries, and on gender and democracy. She welcomed participants and introduced the HBF, which networks in 25 countries, working with civil society, parliamentarians and think tanks towards alternatives for a gender-just and environmentally sound world. The current status of the WTO negotiations, as revealed by the news from a recent meeting in London and ongoing preparations in Geneva, is not encouraging, as it appears no compromise has yet been found. Ms Unmüssig said that this public hearing provided a good opportunity to address the EU's responsibility with regard to reforms and to focus on aspects that are largely neglected in the negotiations – environment, gender and – since this is a development round – development issues. She expressed the hope that the hearing would give space to discuss strategies for civil society organisations and others who really want to see a more environmentally sound and gender-just development round. The HBF position does not advocate derailing the WTO but wants to see real steps towards radical reform of the WTO both in content and procedures.

**Pierre Jonckheer** MEP, for the EP Intergroup on Globalisation, gave a brief summary of the two days of conferences that had preceded this hearing and updated participants on current activities in the Parliament on these issues, including a resolution, to be voted on in plenary during November, on the Hong Kong meeting<sup>2</sup>. Various initiatives were currently under way in the EP discussing the challenges of the meeting on trade, the environment, development, gender equality, and so on. Not all MEPs are specialists in international trade or even experts on the WTO, he said; but they are responsible for getting views across to the executive in the Council and the Commission, so it was important for them to hear a range of views.

It is fairly clear that the Commission and the Council are not really concerned with development in these negotiations but rather with promoting the interests of European business. Current discussions in the EU, Mr Jonckheer said, are essentially about the trade-off between the con-

cessions that can be obtained in agriculture and direct aid, and the opening up of markets, especially in services, and lowering of non-tariff barriers. He feared that this would be the view taken by the majority on the resolution, even though there would doubtless be several comments about development. He was not convinced that it would actually be useful for the vulnerable populations of vulnerable countries to have agreement at Hong Kong, on the basis of the current negotiations – especially in relation to agriculture.

Mr Jonckheer raised two points from the previous day's discussions: first, the agreement reached at UNESCO on the idea of an international convention on cultural goods and services that would simultaneously enable global exchange of these and allow each country to keep its sovereignty in this respect; and, second, the problem of the coherence between agreements made at the WTO, existing international conventions such as the UN covenants on human rights, and multilateral environmental agreements (MEAs). He pointed out that the EU is an appropriate forum in which to discuss overcoming this incoherence, since it has competence as regards international trade, environmental law and social issues but is also rooted in the UN human rights covenants. The EU social model is imperfect, but it does involve a process of political decision-making by a directly elected parliament and a role for that parliament in making internal European legislation. This is a model which, he felt, we should be promoting.

**Wolfgang Sachs** of the Wuppertal Institute for Climate, Energy and the Environment likened the institution of the WTO to the EP building – you don't know where to get in, and once you do get in you don't know what elevator to take. It is large and confusing. But every building has cornerstones and building blocks, and Mr Sachs identified four building blocks or founding assumptions of the WTO, which can be shown to be fallacious.

**The first fallacy** is that the Doha Round is about development. It assumes that treating unequals equally will lead to equality. In fact it can be the height of injustice. This is

<sup>1</sup> Since Barbara Unmüssig took over the chair for the session, she did not give her presentation as planned. The presentation is included as appendix.

<sup>2</sup> The resolution was finally adopted on 1 December 2005, see: [http://www.europarl.eu.int/news/expert/infopress\\_page/026-3025-334-11-48-903-200511281PRO2944-30-11-2005-2005--true/default\\_en.htm](http://www.europarl.eu.int/news/expert/infopress_page/026-3025-334-11-48-903-200511281PRO2944-30-11-2005-2005--true/default_en.htm)

exactly what happens in the WTO in its assumption that the playing field for trade is even. By itself, the principle of non-discrimination in a drastically unequal situation creates disadvantages, as is illustrated by studies postdating the Uruguay round, which show that 49 least developed countries are worse off by an average \$600m a year and that no countries have had economic success from free trade and opening their borders to trade. So, special and differential treatment (SDT), which does exist in the WTO, should not be regarded as an exception, but must be preserved. A trade system that wants to unite highly unequal players must have SDT as a norm. In that sense a free trade arena cannot be a development round.

**The second fallacy** is that nations have an innate right to export. The WTO concentrates entirely on unconditional market access. This emphasis is misplaced when it comes to increasing the economic well-being of nations. 'Open markets' do not mean free trade. And open markets are not a precondition for economic success. Much more important is internal integration, in which a country's own economy has mutually productive linkages inside it. So is the enlargement of policy space to increase the range of policy choices in each country. In this sense, the focus on agricultural exports and EU subsidies is misleading, because it distracts attention from the fact that import protection is more important for poor countries than export opportunities. Everyone speaks of exports, but not of imports and the prying open of markets under NAMA and the services agreement. The protection of common goods is the new protectionism which should be exercised through larger policy space.

The right to larger policy space exists not only for developing countries, but also developed ones. They too have the right to protect their common goods, including a flourishing agricultural sector. The question is not one of subsidies, market access routes, or protectionism, but of what the extraterritorial effect of these protections is. National governments should have policy space for their own agriculture, as long as they can justify this according to multilateral environmental agreements; but their political measures should be taken in such a way as to make the least advantaged – both countries and people – better off.

**The third fallacy** is that trade rules should be designed to enhance the economic performance of states. The WTO assumes that states represent the interests of all their people. But the trade agenda is driven by the elites of both North and South.

Rights are relevant here. Mr Sachs noted that until World War II states were the only bearers of rights; it was only after the Universal Declaration of Human Rights that individuals began to have rights and duties. Although human rights are absolute rights, the WTO doesn't acknowledge the discourse of rights. It makes no reference to human rights, though they are the foundation of the UN system.

This places it in an anomalous position with respect to the UN system.

Food, services, health, education, water are basic to people. It should be impossible to subject these things to market forces only. So agriculture and basic services should not be candidates for trade liberalisation.

**The fourth fallacy** is that the laws of trade can disregard the laws of nature. Future historians will throw up their hands in horror, Mr Sachs said, on seeing that the world has transformed itself in the name of the WTO but has ignored the environment. They will wonder how everything could be overturned with total disregard for the laws of nature. How can the WTO do this? Sustainable development is mentioned in preambles, but the WTO is only interested in the effect of the environment on market access, not in the effect of unlimited trade on the environment. Multilateral agreements on the environment and diversity seem to take place on another planet from trade agreements. The WTO doesn't face up to the question of how to achieve resource-light patterns of production and consumption, especially in energy and the change to biodiverse agriculture.

## SESSION 1: NATURE FOR SALE? THE COMMODIFICATION OF NATURAL RESOURCES UNDER THE WTO

*Facilitators: Robert Sturdy MEP; Helmuth Markov MEP*

The session was opened by **Robert Sturdy** MEP, who works closely on the WTO in the EP's Committees on International Trade, Environment and Public Health and Food Safety. Endorsing much of what Wolfgang Sachs said, he added some further points and questioned whether they would be adequately addressed in the negotiations, since environmental legislation is not part of the WTO and thus tends to be ignored. These include the rapid development of China; food miles; the problem of waste; services and welfare; and non-trade barriers, e.g. legislation on maximum pesticide residues in foodstuffs. It is clear that the WTO doesn't work, inter alia because it favours wealthy countries and transnational companies (TNCs), not poor countries. He did not expect a settlement to emerge from Hong Kong, but said that the ways in which the WTO doesn't work must be addressed.

**Helmuth Markov** MEP, also in the EP Committee on International Trade, drew attention to the need to look, not just at the liberalisation of markets, but also at the distribution of goods and conditions of production, especially where goods are produced under conditions not sustain-

able for developing countries or contrary to international labour standards. The WTO does not consider itself responsible for issues of this kind, but, he said, countries must have the chance to protect their production and to develop regional production, and trade must be part of development.

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**RUPERT SCHLEGELMILCH,**

Head of Unit, European Commission, DG Trade

### **The EU's position for effective sustainable resource management in the WTO**

I have heard so many good, challenging arguments already in this debate that I'm tempted to comment on each of them, but I know time won't permit that. I shall present a slightly different view, and will also try to bring some hard facts or unpleasant truths to the debate. As a negotiator for the EU in trade and the environment with the WTO, I must make these points, but that doesn't mean that I don't have a lot of sympathy for many of the views I have heard so far. However, some of those things are simply not on the table today, even though perhaps they should be; the reality of the WTO is sometimes quite different.

#### **What is the WTO's competence?**

Let me start by saying what the principal tasks of the WTO are. It is worth reminding ourselves that it was created to regulate world trade. It was not, and still is not, an organisation which works on human rights. Neither does it have responsibility for environmental legislation. There is, of course, a sustainable development objective in the preamble of the WTO Agreement.

But these are not the core tasks of the WTO. We might deplore this, but be careful what you wish for – I'm not sure that we would all like to see the WTO regulate the environment or address human rights!

However, this doesn't mean that the WTO should not have a positive role to play in the management of world resources. Natural resource management today is either a national responsibility – mining concessions etc, are given out by national governments – or it is the responsibility of multilateral agreements. Countries increasingly choose to address resource issues through the multilateral route (e.g. Fisheries Agreement or other Multilateral Environment Agreements). I think that is a good development, and good governance means that the WTO does try to help and support this trend. There has been a very critical remark about the mutual supportiveness of trade and the environment, but I think that we should not hastily dis-

card that as a principle, though whether we can achieve it is a quite different question.

How could that be done? We already have provisions in the WTO that allow for the pursuit of environmental objectives, for example through Article XX of GATT, which makes it very clear that states can take measures to protect the environment. These measures have been challenged and governments have won cases upholding the environmental measures despite a WTO challenge. More broadly, we have the debate on the relationship between multilateral environmental agreements and the WTO rules. This is very important, because we don't have a system where these interests are automatically balanced out in one competent body. We have to find a way to make various bodies interact correctly and appropriately. I'm pleased that the UNESCO example has been mentioned – it is not an environment example but it shows that competences elsewhere on issues such as culture or the environment can find their own places. Many people fear that WTO rules will be overriding and will not be seen as a body of law equal to other international legislation but as something which somehow takes precedence. As EU representatives, we have been fighting very hard in the ongoing WTO negotiations on the relationship between WTO rules and MEAs to make sure that will not happen. We have pointed out, for example, that fisheries agreements should be included in that debate, that they should be regional, even if not universal, agreements, for example.

The greatest problem here is with other WTO members, in particular those who are not members of some of the MEAs. EU policy has always been to ensure that there is no conflict between WTO rules and environmental legislation, so that, if rules are in place for protecting natural resources, there should be no challenge in the WTO. Some argue that defining the WTO/MEA relationship is not the role of the WTO; it should be done in UNEP and elsewhere. But the greatest legal certainty we can get to protect our environmental legislation is of course within the WTO itself, because WTO members are bound to comply. So we are pushing very hard in that respect. The limited mandate we currently have in WTO won't solve all the problems, but it certainly would give greater legal clarity and better protection from challenges in the WTO for what we all want to do in the environmental field.

#### **Free trade and poverty**

I would like to say a few words now on a much more direct contribution to development that the ongoing WTO negotiation can produce. I defend the classical economic theory that comparative advantage is a good thing; it does help people and countries if they can play on their comparative advantage. The right to export might not exist, but it can help economies if they can export. China, for example, is certainly not a case where a closed economy made progress and then opened up; China is an economy which

has in fact been relatively open from the start, and has lifted hundreds of millions of people out of poverty. We recognise that there are associated environmental problems, but if we are realistic about the main objective throughout the UN, it is to stop poverty, which is such a detrimental force to social development and environmental development. The potential is there, the question is how to control it in the right way

Control is a very important point. Free trade has never existed as such; it has always been regulated in one way or another. And free trade needs policies in place which make sure the benefits are distributed and negative effects are avoided or offset. We from the Commission would never deny that trade liberalisation can have negative effects; DG Trade runs a Sustainable Impact Assessment (SIA) programme to be sure that we know what the effects of trade policy are. We have even put forward the idea of a fund in Europe to help those areas that lose out in globalisation.

But that shouldn't distract attention from two things: first of all, the overall benefit can be demonstrated. China is not the only example; in South-east Asia, without trade opening, I don't think we would have as great a reduction in poverty as we have seen. Second, we have to promote the development of policies which work actively on the issues of how we distribute wealth and ensure that environmental laws are respected. That would certainly not go down well at the WTO, and, as I said at the beginning, it is not the job of the WTO; but those who advocate free trade also have to work hard on MEAs, on technical assistance, on giving help to environmental policies and programmes, supporting UNEP, supporting international organisations. I think that is the right policy approach.

### **Can there be cross-fertilisation between trade liberalisation and sustainable development?**

In more concrete terms, the environmental goods and services objectives which we are pursuing at the WTO is an area where I think there are real benefits for the sustainable development of resources. Someone has commented that there is no read-across between trade and development that makes trade an engine for sustainable development. However, the EU has made a proposal for environmental goods, which is to liberalise trade in the particular goods needed to implement MEAs and the Johannesburg conclusions. We explicitly say in the WTO that those goods, e.g. solar panels, clean technology, etc., should be liberalised; so we are addressing not just the impact of environmental regulation on trade, but making trade instrumental in environmental protection, especially in those areas where liberalisation is helpful per se. The same is true for environmental services – having good access to environmental services, clean water is not just a self-serving agenda for the EU because Europe is strong in these sectors; it would be counterproductive for both

rural communities and the environment if communities have to pay too much for goods such as solar panels and services such as waste water treatment because they are heavily taxed through high tariffs.

The EU is also very strongly pursuing disciplines on fisheries subsidies. We are trying to make sure that the WTO, where it is competent, disciplines subsidies and gets an agreement that the worst subsidies, especially to build up fishing capacity without looking at the resources, are prohibited in the WTO. But again, the main work on fisheries management is done by the FAO – I think everybody would recognise that. The WTO can help: people should not be able to throw money at unsustainable practices just as they like, and if the WTO can achieve that, we are already a step further ahead.

The EU is not advocating liberalisation of the forestry, fisheries, mining or non-ferrous metals sectors. I want to be very clear that the EU is not advocating a zero-for-zero extra liberalisation in this round. For some of these sectors we have Sustainability Impact Assessments (SIAs), in particular on forestry, and on the evidence of these we realise that trade liberalisation can exacerbate problems. But we also recognise that it is not the main problem. Illegal logging in Indonesia, for instance, is a problem which we mainly try to address in the FLEGT process<sup>3</sup> and in other ways, but this is one of the reasons why we are not aiming for zero-for-zero liberalisation in forestry as some countries would like us to do. However, we don't think that stopping trade with the EU is an option because the trade will continue elsewhere, for instance with China; instead, we try to devise programmes that address the forestry management issue.

As noted earlier, we also try to assess what we are doing in the WTO through the SIAs. This is a very complicated and difficult process and it is not easy to implement the results in a complex policy environment where the trade negotiating position and aid programmes have to be made coherent. It is also very complex because these programmes sometimes run on a different timescale than the somewhat unpredictable WTO negotiations. But we are making a real effort to feed the results of assessments into the negotiations and into our aid policy.

<sup>3</sup> *EU action plan for Forest Law, Enforcement, Governance and Trade*

**RONNIE HALL,**

Trade Programme Coordinator,  
Friends of the Earth International

## Nature for sale? Commodification of natural resources and the environment in the WTO

### Natural resources are linked to poverty reduction

It is increasingly recognised, including at the intergovernmental level, that access to natural resources is a key aspect of both avoiding and escaping poverty.

The UN Millennium Ecosystem Assessment, for example, states that, "the degradation of ecosystem services is harming many of the world's poorest people and is sometimes the **principal** factor causing poverty." (emphasis added). It also argues that, "The world's poor depend disproportionately on ecosystem services to provide for their systems of small-scale agriculture, grazing, harvesting hunting and fishing. Without access to infrastructure providing safe drinking water, electricity, fuel and transportation, poor people rely on natural sources of clean air and water, fertile soil, renewable energy and biodiversity to meet their needs."<sup>4</sup>

"The Wealth of the Poor: Managing Ecosystems to Fight Poverty", a recent report from the World Resources Institute, the WB, the UNEP and the UNDP, also argues that natural resources represent a route out of poverty for the impoverished: "three-fourths of them live in rural areas; their environment is all they can depend on. Environmental resources are absolutely essential, rather than incidental, if we are to have any hope of meeting our goals of poverty reduction."<sup>5</sup>

In addition, the FAO published a research report on the links between trade and sustainable forest management in 2004. It found that, "In many developing countries, domestic forest products trade is important for economic development and the livelihoods of rural communities, even if it may appear to contribute relatively little to gross national product."<sup>6</sup>

### Forests and livelihoods

According to FAO, "more than 350 million people living in, or next to dense forests rely on them for subsistence or income". Sixty million indigenous people are almost wholly dependent on forests. A further 13 million people are employed in the formal forestry sector.<sup>7</sup>

### Fisheries and livelihoods

The fishing industry provides livelihoods and essential nutrition for millions of people across the globe. Fish accounts for over 15% of animal protein intake globally,

and is an important factor in national food security for many developing countries.<sup>8</sup> Furthermore, developing countries provide 70% of all of the fish consumed by people worldwide, although most of it is channelled to wealthy nations.<sup>9</sup> 90% of fishers worldwide nearly 40 million people are employed in small-scale artisanal fishing and are responsible for 45% of global fish production.<sup>10</sup> However, these small-scale fishermen and women are overwhelmingly poor.

### Natural resources are already in a severely depleted state

About one quarter of the land area of the world – or 3.7 billion hectares – is covered by natural forests. Existing forests are already diminishing fast. Over 56,000 square miles of natural forest are lost each year. 57% of the world's forests, including most tropical forests, are located in developing countries and more than 50% of the world's terrestrial species are found in tropical forests.<sup>11</sup> Primary forests – that is forests with no visible signs of past or present human activities – account for 36% of total forest area, but are being lost or modified at a rate of 6 million hectares a year through deforestation or selective logging.<sup>12</sup>

Fishing stocks are being depleted globally due to increased fishing by fleets from industrialised countries, some of which have commercial agreements with developing countries to fish in their waters. Although fish capture from the wild has stagnated in the past 10 years, even decreasing in the last recorded years (2001-2002), the world's supply of fish is nearly exhausted with over 70% of wild fish stocks fully exploited, overexploited, or depleted. Any additional overfishing – which could be triggered through trade liberalisation agreements – will cause species to become commercially extinct and seriously hinder the process of their regeneration.

<sup>4</sup> Millennium Ecosystem Assessment (2005); *Ecosystems and human well-being: synthesis*. Washington D.C., Island Press.

<sup>5</sup> UNDP, UNEP, The World Bank, World Resources Institute (2005); *Report Series: World Resources 2005 – The Wealth of the Poor: Managing ecosystems to fight poverty*, New York.

See <http://population.wri.org/worldresources2005-pub-4073.html>

<sup>6</sup> See [http://www.fao.org/documents/show\\_cdr.asp?url\\_file=/docrep/008/y5918e/y5918e02.htm](http://www.fao.org/documents/show_cdr.asp?url_file=/docrep/008/y5918e/y5918e02.htm)

<sup>7</sup> See <http://www.fao.org/forestry/foris/webview/forestry2/index.jsp?siteId=5361&siteTreeId=20188&langId=1&geoid=0>

<sup>8</sup> Food and Agriculture Organisation Fisheries Department (2004), *The State of World Fisheries and Aquaculture*, Rome.

<sup>9</sup> *Ibid.*

<sup>10</sup> Sebastian Mathew, *Managing Artisanal Fisheries*, International Collective in Support of Fishworkers.

<sup>11</sup> See <http://www.worldwildlife.org/forests/basic/facts.cfm>

<sup>12</sup> See <http://www.fao.org/newsroom/en/news/2005/1000127/index.html>

## Proposed NAMA negotiations could increase rates of natural resource depletion and undermine livelihoods globally

### Tabled proposals in NAMA

Natural resources would be affected by proposals currently on the table as part of the Doha negotiations in a number of ways.

**Firstly**, the following sectors have all been proposed for a 'sectoral' approach with a view to complete liberalisation (the so-called 'zero-for-zero' initiatives):

- **Forest Products**, TN/MA/W/64, 18 October 2005, Canada, Hong Kong China, New Zealand, Thailand and the United States;
- **Fish and Fish Products**, TN/MA/W/63, 18 October 2005, from Canada, Iceland, New Zealand, Norway, Singapore and Thailand;
- **Gems and Jewellery**, TN/MA/W/61, 21 September 2005, from Hong Kong China, Japan, Taiwan (and others), Singapore, Thailand and the United States;
- **Primary aluminium**, TN/MA/W/37/Add.1, 28 May 2004, United Arab Emirates (this paper also contains a proposal to table all raw materials for sectoral tariff elimination);
- **'Addendum' (includes lists of ores, oil and copper products)**, TN/MA/W/37/Add.2, 28 May 2004, United Arab Emirates.

**Secondly**, all natural resources would be included under the formula-based aspects of the negotiations. If these do 'bite into applied tariffs' as the European Commission is hoping, there are also likely to be negative social and environmental impacts although possibly on a lesser scale than zero-for-zero initiatives. However, this is still a major issue, so cannot be dismissed.

WTO proposals to fully eliminate tariffs in both of these sectors could have extremely serious economic consequences for people dependent upon forests, fisheries and other natural resources for their livelihoods, including loss of access to and destruction of the natural resources (and land) upon which they traditionally depend.

With respect to the forest sector, for example, the European Commission's SIA states that: "Trade liberalisation can accentuate negative sustainability trends unless appropriate forest governance systems are in place and enforced". Such systems are clearly not operating in many countries and further liberalisation should therefore not take place.

The SIA also states that, "in principle small incremental changes can result in **significant negative sustainability impacts** in individual countries with sustainability and governance problems" (emphasis added), and that, "in biodiversity hotspot countries, such as Brazil, Indonesia, Congo Basin countries, and Papua New Guinea, possible negative impacts on biodiversity can be irreversible."<sup>13</sup>

Yet it is Brazil who the EU is pushing for maximum liberalisation under NAMA despite huge deforestation, illegal logging and other governance problems and despite the critical role the Amazon plays in regulating climate change. Such proposals are simply not the product of joined up thinking on poverty, climate and sustainability.

Proposals to eliminate tariffs on fish and fish products will have serious negative impacts on fish stocks if accepted. Almost 70% of tradable fish is still obtained from wild harvest, which already places extreme pressure on the oceans' resources. The proposed tariff reductions in the NAMA negotiations will increase incentives to fish internationally, especially with large commercial trawlers, in turn fuelling further exploitation. Artisanal fisheries are more rational and equitable than industrial fishing fleets in their exploitation of fish resources. The cumulative loss of artisanal ecological knowledge will seriously undermine the appropriate management of fish resources.<sup>14</sup>

In addition, there could be negative impacts on forest and fishing-related industries in developing countries protected by high tariffs, which could "incur considerable environmental and social costs due to downsizing of the industrial capacity and closing some industries entirely."<sup>15</sup>

With respect to fisheries, local fishers and poor fishing communities would increasingly suffer the impact of dying seas, as large commercial fleets take many of the highest quality fish. If coastal nations with strong domestic markets such as Ghana and Cameroon are forced to lower tariffs under liberalisation, the likelihood exists that imports will be forced upon them, undermining local fishing industries and food security.

Food security is also likely to be affected as the decline of fisheries accelerates and as large commercial trawlers suck up all the high-quality fish for export. Only low-quality fish will be left for artisanal fishers to feed their communities.

**Thirdly**, under the non-tariff measures negotiations the European Communities and Japan are also calling for the removal of export tariffs and quantitative restrictions and explicitly include forests:

- Non-Tariff Barriers, TN/MA/W/11/Add.3, 1 April 2003, European Communities;
- Non-Tariff Barriers negotiations, TN/MA/W/46/Add.7, 8 November 2004, Japan.

<sup>13</sup> Katila, M. and Simula, M. (2005): *Sustainability Impact Assessment of Proposed WTO Negotiations: Final Report for the Forest Sector Study; Executive Summary*, Helsinki, Savicor Indufor Oy in cooperation with the Impact Assessment Research Centre, the Institute for Development Policies and Management University of Manchester, UK.

<sup>14</sup> Source: *Research from Friends of the Earth US due to be published shortly*.

<sup>15</sup> Katila, M. and Simula, M. (2005): *op.cit.*

**Fourthly**, other countries have notified a range of various non-tariff measures which may impact on existing and proposed European legislation. Since many of these non-tariff measures are in fact critical for reducing impacts on natural resources, they also represent an attempt by the WTO to rollback vital environmental and social protections. For example, although no specific European labelling or certification standards are named, the generic challenges listed so far could have a very serious negative impact in Europe, potentially dismantling the forest certification schemes, government timber procurement policies (which may specify certain certification schemes) and EU illegal logging legislation, which will soon require certificates of legal origin from certain importing countries. The same applies to various chemical regulations. In this way government negotiators in the WTO are undoing years of work in areas like FLEGT and REACH.<sup>16</sup>

### Strategic opportunities to remove natural resources from WTO negotiations

The links between increased trade in natural resources and potential impacts on poverty, employment and livelihoods have not figured in the WTO's NAMA negotiations to date. They urgently need to be integrated, before it is too late.

In addition, developing countries are also objecting to the EU's aggressive negotiating agenda on NAMA. They are generally opposed to the concept of sectoral negotiations as well. Developing countries also regard the EU's environmental agenda in the WTO with suspicion, as being predominantly Northern-focused and potentially motivated by green protectionism.

This prevents progress in crucial areas. By agreeing to remove forests, fisheries and other natural resources from the WTO's negotiations, the European Union could make a significant and important move towards

- reducing the WTO's interference with progress towards the Millennium Development Goals;
- meeting some developing country negotiating objectives; and
- encouraging demonstrable interest in the WTO in the environmental and sustainability priorities of other countries which would help to ease developing countries' suspicion of environmental protection measures.

This could be done in a number of ways. For example:

- **The EU should actively oppose the zero-for-zero sectoral negotiation proposal on forests.** FoEE's understanding is that this could potentially tip the balance in terms of preventing a critical mass developing (if the suggested requirement that countries representing 80 to 90% of global trade are required to support a sectoral initiative for it to proceed.)

- **The EU should actively oppose zero-for-zero sectoral negotiation proposal in fisheries.** This seems to be tentative at present anyway, with Japan, Korea and Taiwan already explicitly opposing its inclusion. The EU should be able to ensure that this proposal is removed from the negotiating table. This is particularly important given the fact that the EU does not yet have a sustainability impact assessment on the impacts of trade liberalisation in this sector, and should therefore be operating on the basis of the precautionary principle.
- **The EU should further propose the removal of natural resources from liberalisation through the application of any generic formula** that might be agreed in the NAMA negotiations.
- **The EU should explicitly exclude forests, fisheries and other natural resources from its non-tariff measures proposal** and should apply also pressure to other countries, such as Japan, to follow suit.
- **The EU should publicly guarantee that there is no question of EU non-tariff measures designed to reduce the consumption of forest products being weakened or removed** either through the NAMA or any other aspects of the WTO's negotiations, or through any other forum.

Finally, the EU must make it clear that these measures are the first of many necessary moves to reduce poverty and environmental devastation. It clearly follows that they cannot therefore be part of any broader trade off (which might discourage other parties from accepting them).

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#### MIGUEL LOVERA,

Coordinator, Global Forest Coalition

### Saving the forest from trade, not saving the forest for trade

This presentation focuses on the impact on forests and forest peoples of trade in forest products such as timber and paper. It should be emphasised at the outset that this is only one of the multiple problems that trade liberalisation, as currently proposed in the framework of the WTO negotiations, will cause for the world's forests. In particular, international trade in agricultural commodities like soybeans, palm oil and beef has and will continue to have a far greater negative impact on the world's forests than timber trade. More than 90% of the world's deforestation is caused by the conversion of forests into agriculture, in particular the agroindustrial monocultures that are devastating primary forests in countries such as Brazil, Paraguay, Indonesia and Malaysia.

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<sup>16</sup> EU regulatory framework for the Registration, Evaluation and Authorisation of Chemicals.



## Free trade: The faith of the WTO

The golden argument in favour of free trade is that market forces regulate the levels of supply and demand of a resource and establish the best possible balance for that resource.

The golden counterargument against free trade is that market forces privilege only those who control the market and it is impossible to impose any reasonable behavioural pattern on them.

As long ago as 1971, Eduardo Galeano, in *The Open Veins of Latin America*, proved that the radical application of free-market capitalism in the western hemisphere, starting in the nineteenth century after decolonisation from Spain and Portugal, led to exhaustive depletion of natural resources and widespread violation of human rights through slavery and exploitation of waged workers. At that time, 'free trade' was the name given to the 'right' of British concerns and their subordinated contractors to impose the kind of trade that served their interests. In other words, 'free trade' meant that the powerful chose what to sell or buy, where and when, at what price, to whom and by whom. In colonial times all of those choices were supported by the possibility of resorting to violence in the case of any discrepancy with these 'free trade' proposals.

These days, that definition is still applicable, embellished with a few clever cosmetic devices that allow free trade to camouflage itself better and pass as the only show in town.

The WTO is a faith-based organisation that preaches free trade as the pivotal doctrine for ensuring success where others – the UN, the WB, the IMF, the charities and so on – failed. But it still is based on the same definitions of free trade and the means to implement it as in the past: it is the same medicine in a different bottle.

## The 'free trade' of predatory corporate interests

Many trade liberalisation proposals are centred on the interests of the private sector. The way this sector behaves vis-à-vis natural resources is predatory, to say the least. The main patterns we observed in most corporate actors operating in the so-called forest product sector are:

- to exploit aberrations in the valuation and perception of forests – and probably of nature in general – in order to fuel the cravings of consumerist societies, regardless of the obvious unsustainability of their activities (e.g. massive clearcutting, replacement of forests for fast-growing tree monocultures, trials of genetically engineered trees);
- to outcompete the competition so as to maximise profits. This is the only 'serious' objective. Sustainability

and even social and environmental impacts are relegated to secondary importance.

This approach requires producing more and more, until the competition is driven out of business or takes on other niches without interfering with the dominant corporations.

## Trading in trees

The proposal to start a 'Forest Products Sectoral Initiative' in the framework of the WTO's NAMA negotiations has high potential to exacerbate the deleterious effects of free trade on nature and natural resources. It proposes to liberalise the pulp and timber trade even further, without considering that forests, such vital biomes for the planet's environmental equilibrium, should be protected instead of exploited.

The proposal refers mainly to trade in the products of tree plantations. It is clearly based on the deformed myth that all trees are equal and therefore you can plant forests. It is also based upon a related myth that presumes that trade in 'artificial' forest products will reduce the pressure on 'natural forests', a myth that disregards the massive direct and indirect replacement of forests by monocultural tree plantations that took place in Europe over the past centuries and continues to take place all over the world today. This equivocal proposition has been – and continues to be – the death sentence for large tracts of many of the world's valuable forests. More than one country still has a policy to promote the replacement of forests with fast-growing monocultural tree-plantations. Industry and official instances promoting the business of planting trees are instrumental in selling them as sustainable, because they are promoted as 'planted forests'. They conveniently avoid explaining that these monocultural tree plantations are crops that functionally and structurally have very little to do with forests.

This premeditated confusion allows companies and investors to access subsidies and low-interest loans to plant 'forests'. It also prompts innumerable other problems, for instance devaluing the value of products from natural forests and giving a powerful incentive for the concentration of fertile land by corporations and individuals speculating with probable tree plantation development.

Essentially, the main obstacle to sustainability in the forest products sector is governments' and policy-makers' incapability and lack of political will to address the underlying causes of forest loss and degradation. Some of these causes are attributable to the mentality of the forest 'miners': forest exploiters, managers, authorities and, probably, the general public's understanding of forests. The forest is much more than a timber mine. Forests are complex, tree-dominated ecosystems with particular structural biotic and abiotic components, assembled within temporal and spatial limits and with a self sustained successional

dynamic determined by its biodiversity. More importantly, forests are home to and livelihood for 400 million people around the world. Trading in this sort of resource should not be free!

### Undervaluation and overconsumption

The other key underlying cause of forest loss and degradation is that, by present economic valuation systems, the opportunity cost of soils is much higher than that of forests. This condemns forests to replacement and destruction for the sake of greater revenue. Any incentive to trade will, in the first instance, exacerbate these aberrations, for they will add to the handouts those profiting from exploiting forests are already obtaining in the current system.

It is regarded as characteristic of the forest product industry that timber, as well as pulp, is a sustainable product. This would be true in a perfect world, but not in ours. Timber is more sustainable than steel and concrete. This is probably true from the point of view of life-cycle analyses of each individual product, but, given the current and projected levels of consumption, nothing is sustainable. To give some concrete figures:

- The average US family receives 553 pieces of junk mail per year (1997).
- Japan's public housing target is to build 1.8 million new houses per year.
- In the US 10 billion mail order catalogues are discarded every year.
- Paper consumption in industrialised countries reaches 1,141 m<sup>3</sup> per person per year.

Meanwhile, per capita consumption of paper in developing countries reaches a mere 0.095 m<sup>3</sup> per person per year, enough for a few notebooks a year for the children who can afford them. As with other commodities, the timber trade is controlled by powerful corporations aiming at maximising profit and not at improving their charitable record. It is unlikely that prices would ever drop to levels at which the world's poor would be able to afford more timber products. Even with the potential positive incentives introduced by free trade, corporations will prioritise the best-yielding markets. Illustrations of this can be found with almost all other commodities: higher levels of trade fuel more production and, as prices are controlled by Northern oligopolies which control processing all the way to retailing, commodity prices drop or need to be artificially compensated through subsidies, hence killing free trade. Or, to say it bluntly: aside from all its real and potential negative impacts it should be realised that free trade will, by definition, always remain a myth.

A more profound problem is that the WTO treats all things and beings equally as tradeable commodities, which is wrong and must be avoided: human beings and forms of

life in general are not commodities and collective property cannot be patented.

### Conclusion

In conclusion, it is obvious that increasing the share of the market or improving access to markets, for a business sector characterised by quite predatory traits and in the conditions of inequality and unfairness in which commerce takes place, would not solve the problem that needs to be solved. The main issues to address in forest product trade, as with most products, are sustainability and justice:

- **Sustainability**, by eliminating unsustainable consumption and production patterns and ensuring conservation and sustainable use of forests through sound valuation of forests and forest products, and
- **Justice**, by ensuring that all privileges that companies enjoy are removed and all production costs are internalised.

Addressing the underlying causes of forest loss and degradation, such as overconsumption, undervaluation, unjust land tenure and lack of respect for the rights of indigenous peoples and local communities, is much more relevant to ensuring sustainable production of forest products than handing out even more incentives to the oligopolies that run the global trade in these products.

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#### SIRRA NDOW,

National Coordinator, Network of African Women Economists, The Gambia

### The WTO and the privatisation of water: A threat to women's rights?

The main aim of this presentation is to show the gender impacts of the General Agreement on Trade in Services (GATS) by using one of its policy instruments – privatisation. I use this issue as an entry point to identify the implications of GATS for women and gender relations. My analysis links the issue of water to people's sustainable livelihoods in general and women's poverty in particular. Water service privatisation has particularly serious implications for women.<sup>17</sup> More than 1.2 billion people do not have adequate access to water, and most of them are female.

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<sup>17</sup> Obando, Ana Elena (November 2003): *Women and water privatization*.

As the 21st century unfolds, one of the most fundamental human rights is still unmet: universal access to basic water requirement. More than a billion people in the world lack drinking water, and about three billion live without access to the sanitation systems required for reducing exposure to water-related diseases. Per capita water demand is increasing while per capita availability is declining steeply as a result of population growth and economic development trends. The incidence of water-related diseases (cholera, diarrhoea, typhoid) is also increasing: an estimated 30,000 people die every day from such diseases, mostly young children and the elderly. About two million children die each year of diseases related to lack of access to clean water and sanitation. The demand for water for agricultural use continues to increase, and conflicts over water access are also on the rise.

Concurrently, the importance of the world's water is increasingly being recognised. As more and more people come to value the maintenance and preservation of our water resources as an important element of our natural environment, there are more urgent calls for the costs and benefits of water management and development to be distributed in more equitably, and active interest in understanding and resolving the diverse water-related interests and needs of all stakeholders, in particular women, is growing rapidly. At the same time, many traditional approaches to water planning and management are changing. There is thus an urgent need – but also a rare opportunity – to push for this most fundamental of basic human needs, access to potable water, to be met.

On the other hand, pressure for the privatisation of essential social services, as imposed by GATS and international financial institutions is increasing. Following along the same lines as the structural adjustment programmes of the 1980s and the more recent Heavily Indebted Poor Countries (HIPC) debt relief schemes, GATS calls for WTO member countries to liberalise their service industries and gradually phase out tariff and non-tariff barriers to trade in services. Services make up about 60% of the global economy and represent the fastest growing sector of international trade. This is one of the major reasons why it is highly attractive to TNCs, which have identified services as an important pathway for commercial access. In this context, water is widely promoted as a highly lucrative service sector: private companies have already realised huge profits from the privatisation of only 10% of water distribution.

### **Access to water as a basic human and gender right**

Water is a limited natural resource and a public good critical for human life and health. All people should have the right of access to sufficient water to sustain life and meet basic needs. Access to a basic water requirement is a fundamental, inalienable human right, which should be

protected and nurtured by all peoples, communities, nations and their representative bodies from the local to the international level. It is not merely a moral imperative but is rooted in justice and law and in the responsibilities of governments.

The right of access to water has been identified as a critical component of international conventions<sup>18</sup> on housing, health, food, education, human well-being and life. The CEDAW (1979) states that rural women's health depends on adequate and non-discriminatory access to water.<sup>19</sup> The Convention on the Rights of the Child (1989), article 24 also mentions the right to water. Thus, access to water is a prerequisite for the attainment of all these goals.<sup>20</sup>

Many international conferences and action plans, including the Mar del Plata conference (1977), Agenda 21 of the Earth Summit (1992), and the UN Drinking Water Supply and Sanitation Decade, have endorsed the right of access to water as a basic resource. The World Summit on Sustainable Development (2002), and the Ministerial Declaration of the Third World Water Forum (2003) have both expressed either explicitly or implicitly the importance of attaining the right to water. Women's access to affordable water supply is referred to in the Beijing Platform for Action and the MDGs. At the Bonn International Water conference, water policies and water management systems are identified as gender-sensitive.

This emphasis on access to water as a human right should give impetus to the international community and national and local governments to renew their efforts to guarantee the basic water needs of their populations and to translate that right into specific national and international legal obligations and responsibilities. It should also focus attention on the need to give more serious attention to international water disputes and to resolve conflicts over the use of shared water. The obligation to guarantee the right to water should be overriding in any water management and investment decisions.

### **Water and women's work**

In most developing countries domestic and community water management is women's work. Women determine the sources, quantity and quality of water for domestic use, livestock and agriculture. Women and girls travel up to 10–15 km and spend eight hours or more every day collecting water – up to 20 kilos or 15 litres per trip. As well as affecting women's and girls' personal security and causing them physical disorders, this reduces the time women have to spend on other activities – including growing food, education, income generation, cultural and political

<sup>18</sup> Gleick, Peter H (April 1999): *The human right to water*, pp.488–503.

<sup>19</sup> See CEDAW, article 14.2(h).

<sup>20</sup> Obando, *op. cit.*

involvement, rest and recreation – and makes the sexual division of labour even more unequal.

Gender and human rights advocates should recognise access to water as a critical prerequisite for gender equality, women's empowerment and poverty eradication. Guaranteeing this access will contribute immensely to addressing a major source of gender inequality and poverty, and will empower women as well as having a positive impact on their reproductive role and other aspects of their lives, contributing by extension to improving the well-being of their families and communities.

### **The implications of water privatisation for sustainable livelihoods and women's poverty**

The GATS regime in its present formulation is unlikely to guarantee development and promote poverty eradication for Southern countries or for women in the South. GATS favours profits over human security. It is not concerned with social or gender justice, and is not characteristically sensitive to the plight of vulnerable groups, most of whom are poor women. The increasing trend, imposed by GATS and the international financial institutions (IFIs), towards privatising social sectors such as education, health, water and energy sources greatly increases the overwhelmingly unpaid, undervalued and unaccounted-for essential services that women perform for their families and communities, especially in rural settlements. Significant research and case studies of countries under SAPs showed that women suffer most from the privatisation and dismantling of services. When the state and the market fail to ensure access to basic services, that responsibility falls disproportionately on women, who have to act as providers of social services at household and community levels, meeting healthcare, education, food and water needs.

Women also make up the majority of service workers in the world and often work in the public sector. Their work in public services is in most cases low-paid, yet they are the first to be laid off when these jobs are privatised, while high salaries are paid to expatriate executives and high dividends to shareholders. When jobs disappear, families fail, and when families fail women suffer and communities fail. When communities fail, neighbourhoods and villages fail, and nations fail. So in general GATS is highly detrimental to women's livelihoods. In particular, the efficiencies required in private water management leave women with fewer jobs and increased unpaid and informal work.

Water privatisation as prescribed under GATS threatens the fulfilment of the basic human right to water and denies people's access to it by treating it as a mere commodity. The predatory privatisation widely promoted under GATS threatens the basic human and gender right of access to water, and therefore also threatens livelihoods, especially those of women. It has implications for community welfare because the combination of unmitigated poverty and a pri-

vatized water sector that puts a clean water supply largely beyond poor people's reach will put vulnerable people at even greater peril, eroding human solidarity and individual and national security. Widespread acceptance of water privatisation therefore reinforces gender inequalities, and the GATS regime thus stands to reinforce the marginalisation of women.

When private companies increase prices for services – which they inevitably do – a greater percentage of poor people's income and time resources must be spent on water than is the case with non-poor groups. This often results in access to limited, poor-quality water supply, which can lead inter alia to greater incidence of water-borne diseases. Over-priced water strains already limited family budgets, with rippling effects on access to education, food security and healthcare.<sup>21</sup> In Cochabamba, Bolivia, for example, water privatisation has reportedly caused an indiscriminate rate increase of up to 200%; in Conakry, Guinea, the increase has been 500% in only five years, with severe impacts on the lives of displaced women and girls. In Nairobi, Kenya, people pay five times more for one litre of water than a North American citizen does, and this cost means that they cannot cover food, health, or education expenses. The time spent in securing water excludes them from participating in decision-making processes, advocating against poverty, or improving their quality of life.

### **Beyond advocacy to actions – sustainable alternatives**

- WIDE and its partner organisations call for a moratorium on the GATS negotiations until independent gender and social impact assessment of GATS' commitments are conducted. Furthermore it is essential to equip individuals and groups with the correct and necessary data, tools and resources to support the arguments aimed to challenge and influence WTO and GATS policy changes.
- Essential social services must not be covered by GATS but excluded and protected from liberalisation and privatisation. The privatisation of water and increased marginalisation of women must be stopped. Guarantees must be sought from governments and international agencies that GATS will not prevent governments from supplying essential public goods, including access to potable water supply, to their citizens. Governments should be urged to increase spending on potable water supply for poor people.
- Debt cancellation is essential for water security in poor countries. Privatisation should cease to be used as a sine qua non condition for international lending.
- A gender-sensitive mechanism for the community management of water resources must be established.

<sup>21</sup> *Obando, op. cit.*

Communities and societies must be enabled to take autonomous, consistent decisions on organising their public services, so that they can move towards sustainable and equitable community ownership and management systems.

- Regional/subregional and international 'Women and Water Observatory Networks' (WAWONs), supported jointly by the EU and major NGOs, should be established, centred on a global observatory equipped with state-of-the-art information technologies. They should have reporting functions and should establish benchmarks and indicators for success as part of a best practice database. Data from these observatory networks should be made available to women's groups, NGOs, local authorities and health organisations as well as government policy-makers and international agencies. They should also have advocacy and training functions. We call on NGOs, the EU, regional and international agencies to support the establishment of WAWONs.
- The key to the sustainable provision of water is the maintenance and protection of the ecological integrity of all ecosystems. A water-secure future depends on the acknowledgement, respect, and protection of the rights of all peoples, indigenous, peasant or others. Their voices, especially those of women, should be given an attentive and respectful hearing in discussions of water and related management issues.

## Conclusions

Human security means not only physical security but also the satisfaction of basic human needs. Its absence destroys people and nations. Human security of the right type is another name for peace, within nations and between nations. It is the only way to ensure that the twenty-first century world will work better for all nations and peoples and for both men and women. The provision of potable water supply that is responsive to poverty eradication and gender equality for present and future generations is a good pathway to this future.

While our thinking and our historical gender perspective may not pretend to be clairvoyant, the task for WIDE and its partners at this moment of tension and transition must include the delineation and clarification of the central issues of this debate on GATS and the privatisation of water. It must fearlessly explore the links between the privatisation (with its inherent implications of competition and contest) of an indispensable global resource such as water, and the damages that this portends for an economically and socially disadvantaged group: poor women, particularly in developing countries.

Renewed efforts by WIDE and similar organisations will be indispensable to the reconceptualisation of the visions, roles and practices of international agencies and national governments if fundamental change is to be achieved. The

international society of the twenty-first century must be based on social, political, economic and gender equity and material interdependence, and also on moral interdependence and solidarity. This latter may in the end be the most compelling *raison d'être* for the kind of NGO that WIDE and its partners have become.

## DISCUSSION

Before discussion from the floor began, *Robert Sturdy*, in his capacity as facilitator, clarified a point about the powers of the EP committees. Neither the Trade Committee nor the Agriculture Committee has co-decision powers, so sometimes, whatever they say can be ignored by the Commission. The Environment Committee, however, is very different – it does have real co-decision powers, so it can sit down with the Council and the Commission and the Parliament to work through legislation together.

The discussion took the form of two rounds of questions to the speakers, who then responded. In both rounds the majority of questions and comments were directed to *Rupert Schlegelmilch* and challenged various aspects of the EU's position at the negotiations as he had outlined it. Questioners raised, for instance, the apparent contradiction about the competence of the WTO in dealing with environmental issues and its relationship with the MEAs and other bodies. Mr Schlegelmilch's view was that changing the forum for dealing with these issues may not necessarily do much good. An alternative proposal for clarifying this relationship, involving the International Court of Justice or other organisations, was mentioned.<sup>22</sup>

It was suggested that lowering tariffs on environmental goods and services (EGS) would increase developing countries' dependency unless it is accompanied by measures allowing countries to produce their own EGS, such as exclusion of developing countries from TRIPS and TRIMS and significant technical and financial assistance to enable developing countries to develop their own EGS. Approaches such as those proposed by India and Argentina were raised. Mr Schlegelmilch pointed to the growing production of environmental goods and services in developing countries such as India and Brazil, and said that the EU was prepared to consider emerging proposals for alternative measures. Huge agribusiness in large developing countries such as Brazil, on the other hand, continued to be problematic.

A clearer position from the EU on fishing subsidies, and especially on the issue of special and differential treatment in the fishing subsidies negotiations was requested, given that several EU member states subsidise fisheries in

<sup>22</sup> See *Stefanie Pfahl et al. (2005): Is the WTO the only way? Safeguarding multilateral environmental agreements from international trade rules and settling trade and environment disputes outside the WTO, Adelphi Consult, FoEE and Greenpeace.*

different ways. This debate is currently bogged down in discussion of the kind of subsidies to be applied.

The coherence between gender, development and environment in relation to trade, not only in the EU's position but in the negotiations generally, was raised. How could this coherence be assured, given that the EU has decided to make gender equality a core issue? Mr Schlegelmilch said that the gender indicators in SIAs were so far the main way of addressing gender issues and referred to current work with the ILO in the context of the Decent Work agenda, but questioned whether trade rules themselves could be made gender-responsive. This, however, is precisely what is needed if trade rules are to work for women, the world's major users of natural resources in sustainable development. On the other hand, *Ronnie Hall* noted that the inclusion of natural resources in the negotiations was particularly relevant to women and gender relations, since greater liberalisation of trade in natural resources would be likely to harm women more than men.

A general point made by *Miguel Lovera* was that proposals around producing more regionally, for instance, reform some aspects of the trade and resources model, but there are many constraints to talking about alternative models while governments and big producers are still profiting from the existing model. The real challenge is to address production and consumption as a whole, redefining societies' needs for resources as part of a sustainable development strategy.

## SESSION 2: SUSTAINING A FUTURE FOR AGRICULTURE: TOWARDS PEOPLE'S FOOD SOVEREIGNTY AND BIOSAFETY

*Facilitator: Friedrich-Wilhelm Graefe zu Baringdorf MEP*

Introducing the session, the facilitator drew attention to the significant part the EU has to play at the WTO, not just as a 'victim' of its decisions but also as an active participant. He used the example of liberalisation of the sugar market, the subject of recent discussions at the European Commission, to point out the variety of interests at stake in trade and agriculture – the EU member states, the ACP countries, those in the EU who want liberalisation and those who oppose it, the differing perspectives of the Parliament and the Commission.

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**CLAUS SØRENSEN,**

Head of Cabinet, European Commission, DG Agriculture

### Towards sustainable agriculture worldwide

Before beginning my main presentation, I would like to refer back to what has been said about co-decision at the EP. There is nothing we would have liked more than to have submitted all proposals about agriculture for co-decision. It is an anomaly that we don't have full democratic control and co-decision in such an important area. But I want to say to all those involved with the Constitution debate that this is an issue that will not go away, because there is a real democratic deficit, and I want the next generations to have real democratic influence on our future. We will come back to the question of the Constitution in due course.

### How world agricultural production and trade have changed

I am basically a European, forgetting my background a little, though ethnically I'm probably a Dane. My uncle was a farmer, and I remember visiting his farm as a child, when he had 40 pigs. As I grew older he built more pig farms, until finally he had ten big pig houses with a total of 5,000 piglets. You had to wear ear protectors in the houses because of the noise. I remember the smell, which increase over the years, spreading over the landscape. And I also remember seeing one day an antibiotic pistol, used for injecting antibiotics into the neck of an animal. We had very tough discussions about these issues – issues like pesticides and garbage – because I came from a city background and had a different outlook.

Now my uncle is dead and a lot has changed – inside the EU, in world trade flows, but also in the Third World – around how we produce and trade agricultural products. Worldwide production of pork is up 30% since the mid-1990s, but the rise in trade in pork is 200%; this is far more than the usual multiplier that you find in GATT and WTO reports. It is the same with cheese: production is up by 20% but trade is up by 40%. Looking at crops – and something of interest to Brazil – soybean production is up by 70% but trade by 110%. These few figures tell us that the whole structure of agricultural production is shifting worldwide. As our chairman remarked, this is all about liberalisation and the forces of globalisation; and I have to confess that although I am a fervent protector of the environment I also believe that in order to ensure wealth and growth, notably in the developing countries, we have to get accustomed to the fact that a greater part of world agricultural production will have to take place in these countries, and, as a consequence of that, there will be increased trade flows. And that is precisely the point. We are moving away from my uncle's way of doing agricul-

ture, towards something that is hopefully more sustainable, at least in Europe. You may have questions about that, but if you go back to the 1970s, in the country I know best, I can assure you that that is what is happening.

At the same time we see that soybean and livestock production in Brazil are eating into rainforest areas and having negative environmental and maybe even social effects. We encounter the same problem with palm oil in Malaysia, or – in the most difficult case right now – in Indonesia, where new palm oil plantations are encroaching on national parkland. This really shows up a governance problem. I'm aware that tropical forests are outside of agriculture, but this is something we try to work with, because we see that wood production and forestry are also a way to create income, but of course have to be managed on a sustainable basis.

### **CAP reform – decoupling income support from production**

This means that we need to find ways to raise the standards of sustainability in the wider world while continuing to improve our performance inside the EU. I'm not going to give a long and apologetic description of the CAP; most of you will be familiar with what we are trying to do. Nothing is perfect. But if you compare the situation of 15 years ago, before the Fischler reforms and the McSharry reforms, with the situation today, you will see a fundamental change, maybe not so much in the landscapes and farms, but in the policy instruments and how they are devised.

One reason why the impact is not yet fully visible in the rural regions is that the latest wave of reforms kicked in only on 1 January 2005 in six or seven countries, and it will kick in on 1 January 2006 in another set of countries. They are all having tremendous difficulties in implementing the reform. The main axis of the reform is a decoupling of income support (which is high in EU countries) from production, so that there isn't a carrot that people have to run after while they produce more and more, but they actually get the carrot in the bank account, up front. They get 60% of the fall in the price decided in the reform by way of a direct subsidy. You may like this or not – I personally think it is a bit too much – but on the other hand, in order to get this reform going, it was politically simply not on just to cut the prices dramatically and let people go out and join the ranks of the unemployed. That is not how we should go about reform. So there is a transition issue to be handled.

The other part of the deal was that while we decoupled we nevertheless asked the farmers to fulfil certain cross-compliance criteria. They are to look after the landscape, for instance they should let cows graze so that bush doesn't grow up and increase the risk of forest fires (e.g. in Portugal and other parts of Southern Europe); we have

to ensure that the landscape is taken care of while not encouraging more production. Cross-compliance rules can be bureaucratic, and farmers complain about it – they would have liked just to keep producing pigs and meat; but that isn't the point of the reform. We want farmers to continue to deliver 'public goods' in the form of landscapes, biodiversity, local produce, and so on.

It has yet to be seen how it will kick in. Here is an example of how farmers see the reform. Last spring I was at a big agricultural fair in England, where I met a British farmer and his wife standing in front of a huge combine harvester. The farmer said to his wife, 'I'd really like one of these.' His wife asked if he really needed it, since they had two others at home. He said, 'Yes, because I've got crops to sow and cultivate,' and she looked at me and said, 'But this gentleman from Brussels just explained to us that a lot of money is already coming to your bank account without your sowing and harvesting. So are you sure you need this machine?' She meant it as a joke, but for him it was a reality check. Suddenly he was not so sure about growing this crop to add it to the surplus stocks we already have in the EU – so maybe he didn't need another combine harvester. And then the wife went on, 'But what about the holiday we've never had?' It was right there in front of all of us who were listening: the reality of CAP reform kicking in. The same kind of discussion is going on all over Europe between farming couples – because of the decoupled support, should they simply pull out of some basic areas of production and see what happens, while taking care of cross-compliance in various ways? That is why I expect that if you travel around Europe in 5–10 years you will see huge changes in the rural landscape and in socioeconomic structure.

### **Rural development – an alternative to production?**

The other fundamental plank of the farm reform was to move money from the first pillar to the second pillar of the CAP, towards rural development. This is where I see the more 'sexy' aspects of the future in the CAP; that is where hopefully we can link up agriculture with technology, bring information technology and computer services to villages, which would allow some cross-linkages by way of tourism or the development of other activities. I have checked, and I am told that in the context of agrofood industries you can finance kindergartens, citizens' groups will be able to mobilise different alternative crops and sell them in nearby big towns, and so on – there is a vast area of possibilities for financing under rural development.

The challenge is the huge sea-change that has to take place in the mindset of rural communities. They have to start to think they are not there just to produce crops, but to generate public goods in the form of a better environment, a better framework for local enterprise, tourism or

leisure activities, activities that can ensure that the rural areas do not simply become depopulated. And that is a cultural change, and takes time.

Some sectors have not yet been reformed. In Denmark and northern France, sugar was called ‘the white gold’ until quite recently, because it was heavily oversubsidised, mainly through a levy but with huge tariff barriers with an incredibly high price financed by consumers. Then the ACP countries were allowed privileged access at these very high prices, which I think is not sustainable in the long term. Yes, there is free policy choice, but you create economic rents, and how much of that money is good for the poor people in those countries? To me it is obvious that subsidisation through consumer prices needs a balanced reform. But we need to make sure that, while we reform, ACP countries that are going to face a lower price get restructuring aid in the form of development assistance.

In the current budget debate and financial perspectives, so far the money for more development assistance to restructure the sugar sector in the developing countries is secured for 2006. But obviously we will need some money to follow this up, and there are quite substantial amounts put aside in the new financial perspectives (€190 million over the period). If we don’t get an agreement, we have that problem on top of all the other problems created by the blocking of the negotiations in the European Council just before the summer recess.

## Conclusion

To sum up, there is an agenda inside the EU on how to make our own agricultural model more sustainable. I think CAP reform is a real contribution, and more will come. But there is a real issue about how we can ensure, with the increased division of labour worldwide, that sustainability criteria are also extended to those parts of the world where most of the agricultural production will come from in the future. That is related, of course, to the Biosafety Protocol, to the protection of rainforests, and to other issues to which I am sure we will return.

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**MARIANO IOSSA,**

Food and Trade Policy Adviser, ActionAid International

### **The EU’s latest agricultural offer: Real cuts or smoke and mirrors?**

I want to focus my presentation on the political will and the reasoning behind the EU’s latest offer on agriculture particularly in respect to the CAP and to what extent it is

defensible, in answer to a lot of the points made by Mr Sørensen. As a European citizen and tax payer, I am quite sceptical about some of the justifications that the Commission has just presented to us.

Let’s look at the real cuts that the EU would have to face under the 28<sup>th</sup> October proposal. The proposal of the EC, which has been announced as serious, far-reaching and credible, offers cuts in respect to bound levels, which are significantly different from the latest applied rates within the EU. So, there is a lot of ‘water’ between applied and bound rates. So grandiose announcements about subsidy cuts of 70% under Amber box or up to 80% in de minimis are in respect to bound rates. If we look at it in respect to the latest applied in the amber box, it is not such a good deal as it sounds. ActionAid International believes that amber box support in the EU-15 will shortly be at the 70% reduction (about €20 billion) once the current CAP reforms, including sugar are in place. Furthermore, ActionAid calculates that trade-distorting domestic support (amber, blue and green box) could fall only from an estimated present €60bn to about €50bn. The EU on domestic subsidies will effectively be getting a Round for free but at the same time the EC is asking developing countries for real cuts under NAMA.

I do not want to go into a more detail about the various ‘boxes’, but to note that there is a lot of juggling between boxes: for instance, there is a reduction in amber box from latest applied of approximately €25bn to a possible maximum of €20bn, but there will be an increase in the green box direct payments by about €25bn. Like in the “three-card trick” (in which the cards, face down, are moved around and you have to guess which one is where) you always lose because the system appears to change but never does.

On market access, why is the Commission proposing a general rule of a two-thirds ratio in terms of cuts of developing countries with respect to rich countries? On what basis has the Commission reached this figure. This ratio goes against the spirit of effective and meaningful SDT and in ActionAid’s opinion tries to reflect a level of agricultural development in poorer nations that is simply not there. ActionAid therefore argues that the EU’s two-thirds ratio would be disastrous for developing countries and will undermine the agricultural sector and displace thousands of farmers. At the same time, we also see that the Commission is very concerned about protecting its own products, asking for a number of sensitive products and a level of special safeguard clauses for beef, poultry, butter, fruits, vegetables, and sugar, which will keep out of liberalisation all the products they find more problematic. So, once again, not much is changing. On the other hand, while the Commission expresses concern about special products for developing countries, it suggests no specific modalities – again, there is very little substance and very few concrete moves in that direction.



Now let's look at what is in the green box, domestic support that should be non-trade-distorting or minimally distorting. Why am I interested in this area? A lot of what was formerly under blue box is currently under green box; ActionAid believes that trade distorting subsidies in the green box will increase from €5bn to €30bn. Together with other NGOs, we gathered evidence that what is being currently moved under green box is 'green but not clean'. Here are a couple of examples from a recent joint report of ActionAid, Oxfam and CIDSE,<sup>23</sup> which I think might answer some of Mr Sørensen's questions:

- Planting restrictions – the EU Single Farm Payment is very similar to the US system which provides decoupled payments but also includes planting restrictions. The WTO dispute panel sitting in judgement on Brazil's case against US cotton subsidies found that decoupled payments in the USA do not qualify for the green box because of these restrictions. Although the EU is fully aware of this decision, it intends to include its Single Farm Payment in the green box.
- Decoupled payments and decrease in production levels: the representative of Commission mentioned decoupled income support as a big improvement. We think that, while it has made some improvements compared to the previous situation, the job is only half done because production levels have not been, or will not be substantially reduced. Forecasts from the FAO, the OECD, the University of Iowa, and the EC itself show that the production and export of cereals, the EU's most exported commodity, will continue to increase even after full implementation of the CAP reforms. According to the OECD, exports of wheat from the EU will only be reduced by 5% compared as a result of the reform, so again I see little possibility for change.

All that the EC is trying to do is ratify at the WTO what has already been committed and done in CAP. In our view, the extent of trade distorting support in the EU remains at roughly the same level as it was 5-10 years ago. Further reforms are required to cut the remaining and existing trade distortions in the CAP system but the EU has asserted that no-one should ask them to reform twice; simply because they have already been reforming in the view of the WTO negotiations. On trade distorting subsidies, the EU has reformed very little (but simply shifting subsidies between boxes shifting) whilst developing countries are being asked to reform yet again. Many of these countries only have tariffs to protect vulnerable farm sectors but tariffs were reduced as part of the Uruguay Round and they are being asked to do the same as part of the Doha Round. Yet at the same time, the North continues to massively subsidise its farm sectors and dump products all over the world. The supposed benefits from the Uruguay Round have simply not materialised.

But is the CAP system defensible? What is the justification for keeping it the way it is? As a European citizen, I am

strongly concerned about the situation in developing countries. I understand that the EU and European Commission's main mission is to work for the benefit and welfare of European citizens; but an additional goal must be to eliminate the harmful impacts of its agricultural policies overseas. For this, while addressing civil society Commissioner Mandelson recently said that the Commission has reached the bottom line on agriculture, as we have also to abide by our responsibilities to European farmers and he will not allow to put rural livelihoods and social fabric in rural areas in jeopardy. So, I think it is very important at this stage of my presentation to look into who is benefitting from the CAP and whose livelihoods Commissioner Mandelson and the Commission are defending from jeopardy.

Research from the University of Aberdeen shows that the benefits from the CAP go predominantly to the richer and core regions of Europe. This is against the principles of the EU Cohesion Policy. This research also states that the much proclaimed "Newer and smaller rural development regulation measures" (Pillar 2), such as agro-environmental and Less Favoured Area payments, surprisingly also go predominantly to richer regions of the EU, although they are less concentrated in Europe's core.

As well as this, all of you are aware that most of the CAP subsidies go to European royal families, aristocrats, and powerful large farmers around Europe. Oxfam's research revealed that in the UK the British Royal family was a big recipient of subsidies, in Denmark four Danish cabinet ministers and even the country's EU Commissioner receive millions of Euro in payments, just to name a few.

Do such people really need income support? Are the rural livelihoods of the British Royal family that Commissioner Mandelson was referring to in his recent speech? How can the European Commission defend such a system?

As a European taxpayer I am ashamed that Europe is putting a development round at threat to defend the naked self-interest of few rich and powerful people in Europe.

<sup>23</sup> ActionAid International, CIDSE, and Oxfam International (October 2005): 'Green but not clean, Why a comprehensive review of Green Box subsidies is necessary', [http://www.actionaid.org.uk/100222/research\\_publications.html](http://www.actionaid.org.uk/100222/research_publications.html)

**ODUOR ONG'WEN,**

Country Director, Southern and Eastern Africa Trade Information and Negotiation Institute (SEATINI), Kenya

### **Towards people's food sovereignty: Steps the European Union should take**

I have learned a lot today, and I appreciate some of the concerns that have been raised, particularly with regard to trade in agriculture and its effect on poverty and the environment. At the outset I want to say that I come from a country where nearly two-thirds of the population is regarded as poor, never mind the standard commonly used that refers to people living on an income of less than a dollar a day. I think it is significant that in our continent there are countries where that proportion is even higher. We have it on record, and it has not been denied, that in Europe a cow is subsidised to the tune of two dollars a day. So, simply put, if our farmers were given a choice they would rather be a cow in Europe than a farmer in Kenya. That is the reality we are dealing with.

#### **Trade is not the whole story**

I also want to make it clear that when we are talking about trade in agriculture, we are not simply talking about an economic question of entering and protecting markets. For us, we are talking about livelihoods, we are talking about jobs, we are talking about our natural resources, we are talking about our ability to survive, we are talking about our traditions and social relations. And we are talking about a sector that provides the bulk of employment, and particularly for women. In my country, 60% of those who earn their living from agriculture are women. And therefore the more you continue downgrading and marginalising agriculture, the more you are basically condemning women to a situation of desperation and complete lack of livelihood,

But before I address the issue of agricultural trade and what the EU needs to do, I want to put it into context. Trade in agriculture, and trade in general, is just part of the story. We have a bigger problem of externalisation of resources from poor countries to rich ones, and particularly from Africa. Our recent surveys have shown that there are at least 14 ways in which our resources are being externalised, trade being just one of them. We have the issue of debt; we have the issue of biopiracy; we have the issue of privatisation of our national assets – a whole range of issues including brain drain. Now, putting agriculture into this context, we must be able to understand the driving force behind the trade in agriculture, and much as it is said that the round is about development, about addressing poverty, about our survival, and that everybody is trying to help us, may I ask: Whose proposals have been on the table, even in this so-called development round? And if it is so much about our development, why are African governments and other developing country governments

resisting it so much? Do you think we are so foolish as to resist that which is supposed to address our welfare? In fact, this is the continuation of a mercantilist system that we have experienced in the last 20 years, and unless this is addressed, we fear that the future is going to be very bleak.

#### **The developing countries are not gaining from global trade**

The figures are there: just in the last 10 years since the establishment of the WTO, the African countries' share in global trade has diminished tremendously, from around 3.5% to less than 1.5% today. However, that does not mean that our production has gone down. Perhaps if you look at the volume of exports they might even have increased. So what is the problem here? My colleague Mariano Iossa has hit the nail right on the head when he asks who is gaining from agricultural trade. Mr Sørensen did talk about growth, and it was obvious that the growth in trade has far outstripped that in production, and that is the reality because the policies, the arguments, the frameworks that have emerged over the last 20 years have furthered corporate interests, whose real motivation is not to address people's food needs or sustainable management and production, but to open markets and realise profits. While this is being done, millions of people are being declared unable to survive. And therefore, what I have done in my paper on which this speech is based is just to show you, very briefly, what has happened in the last 10 years in terms of the European agricultural products that are getting into Africa.<sup>24</sup>

#### **Trade is not leading to food security**

If you look at some of the products I have mentioned, such as vegetables and fruits, cereals, dairy products, and so on, you will find that they are putting very small farmers, sometimes people who are basically just tilling soil around their dwellings, out of business. Unless we are talking about an issue where we continue the old division of labour, where our role is production and the export of primary commodities and import of processed goods – in other words, being condemned to continue producing what we don't consume and consuming what we don't produce – the situation is becoming even more of an impasse, because now, increasingly, the food needs of our people are not dependent on what we produce, and most of our best land is being set aside for export crops, with the advice that we should be following export-led growth. So things like eggs, chicken wings, tomatoes and fruits, are increasingly being dumped onto our markets, thanks to the domestic support mechanisms, such as decoupled payment, that have been mentioned here; while, else-

<sup>24</sup> A full version of the article on which this presentation is based can be found on the WIDE website, <http://www.wide-network.org>

where, our governments do not even have the necessary resources to support our own farmers – but even if they wanted to, the kinds of conditionality that we get under structural adjustment and similar policies do not allow it. So we are increasingly being put in a position where, as communities and as governments, we cannot say that this is what we want to produce, this is what we want to consume, this is what we want to trade in; all of this is defined for us. And the EU has been at the centre of pushing some of these policies.

Meanwhile, the hope we had, with the coming into force of the Agreement on Agriculture, that at least in some of those agricultural products where we have the upper hand (I don't like using the term 'comparative advantage', because it is a term that has really been used to put us where we are) and could compete, an increasing number of barriers have been raised, to the extent that, in the case of products such as coffee and tea, farmers receive less and less income as the market becomes oversaturated with these products.

So where do we stand now? I think it is important to consider this, if we are talking of a situation where we believe everybody should have a chance to survive. We have been pushed to integrate into the global economy, but even at our national and regional levels it is becoming increasingly difficult to integrate, and actually there is active undermining of that integration. If you look at what is happening in the Economic Partnership Agreement (EPA) negotiations, even the small attempts at regional integration we have been able to make are being seriously undermined.

### What developing countries need from the EU

What would we want to see from the EU that would enable us to have the policy space to be able to come up with policies that would ensure that we address our food security, that we address our food self-sufficiency where possible, to be able to use our agriculture for purposes of employment creation and rural development? First of all, I think it is important that the issue of domestic support is addressed, and it is appreciated that, first and foremost, we must have the space to be able to administer to our farmers. I have no problem with domestic support in Europe if it is really addressing the small farmer in Europe. But, as my colleague from ActionAid has said, this is not about the small farmer in Europe, it is very rich, large-scale, sometimes corporate farmers who are benefiting. And therefore, the EU is not really concerned with safeguarding employment. In any case, the proportion of people engaged in agriculture in Europe is negligible and can easily shift to other areas.

In terms of domestic support, these are some of the actions that were expected from the EU:

- Deep cuts in the amber box subsidies; and we don't quite understand why, really, countries that are advanced to the level of the EU should have some de minimis support. I think this should be eliminated for industrialised countries because, historically, I don't see why they there should still be a kind of SDT for these countries.
- We also do feel that there is a need to immediately cap the green box. This juggling of subsidies from one box to another, like magic, puts us completely at a disadvantage.
- I think there is also a need for us to be able to differentiate why developing countries are asking for recognition of special products. When we are talking about special products it is not a question of somebody else defining it for us. I think the countries should have the option of deciding for themselves which are their special products, and these should be distinguished from the so-called sensitive products.
- The other area that has not been addressed sufficiently but which has serious effects on food sovereignty is the GATS negotiations. While we in civil society have been concentrating so much on basic social services, we haven't addressed the question of the liberalisation of distribution, wholesale and retail trade, which has the potential to open our markets to supermarkets from industrialised countries and therefore is going to erode completely the little market that remains for domestic producers.
- Regarding TRIPS, in this morning's discussion the issue of Article 27. 3(b) did come up and was swept under the carpet. However, I think it is essential that we address this issue.

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**ÚRSULA OSWALD SPRING,**

Universidad Nacional Autónoma de México / First Chair on Social Vulnerability, UNU-EHS

### Sustaining a future for food sovereignty and gender equality<sup>25</sup>

#### Some definitions

**Food security** is defined by the FAO as the sufficient disposal of food for individuals, families, regions or nations, after discounting non-food use. A more specialised definition refers to the balanced daily intake of proteins, carbohydrates, vitamins and minerals necessary for health. The US Department of Agriculture measures national food

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<sup>25</sup> A full version of the article on which this presentation is based can be found on the WIDE website, <http://www.wide-network.org>.

security with reference to the nutritional gap, which measures the minimal daily nutritional requirements, in accordance to age, activities and gender.

**Food sovereignty**, on the other hand, is a complex geopolitical, socioeconomic and cultural concept. It has been defined by the peasant movement Via Campesina,<sup>26</sup> women's movements, ecofeminists and indigenous organisations as an integral management of production, commercialisation, transformation and food intake inside families, villages, regions and nations.

**Gender identity** refers to the social construction of human beings as male or female, and gender relations define who does what work, who receives what benefits from it, and who controls access to resources. Gender identity is normally taken for granted: males occupy public space, the space of production, while women occupy private/domestic space, the space of reproduction. Men exercise a hierarchical and vertical power of domination and superiority; women are carers. The gendered distribution of resources through trade is something that should be discussed at the WTO.

### Food security

The facts and figures about food security in the world are alarming. There is enough food in the world to feed the world's whole population; yet, according to the FAO, 'in a world of plenty, 852 million people suffer from chronic hunger with 843 million of them living in developing and transition countries.'

In the poor countries women produce 60–80% of the food, and they are responsible for half of the food production in the world, according to FAO statistics. Yet 70% of the poorest people in the world are also women. Women's access to land is a particularly acute problem: in Africa, for instance, only 2% of land is in the hands of women.

While much of this inequality has a long history, modernisation and trade liberalisation since the 1980s exacerbate existing biases. Agricultural financial instruments, risk management tools and price volatility create vulnerabilities for peasants.

However, as UN Special Rapporteur on the Right of Food Jean Ziegler said in 2005, 'There is no secret as to how to eradicate hunger. There is no need for new technologies.

<sup>26</sup> *Via Campesina is a worldwide organisation of peasant movements from the South and the North, which has regional activities in Latin America (CLOC), North America, Asia and Europe. The main objective is to defend through worldwide mobilisation a sustainable rural development in hand of small farmers, fishers, and rural worker and peasant women.*

<sup>27</sup> *FAO (2005): FAO and the challenge of the Millennium Development Goals: the road ahead, discussion paper. See <http://www.fao.org/mdg/documents.asp>.*

There is simply the need for political commitment to challenge existing policies that make the rich richer and the poor poorer.'

### Key issues linked to hunger

- Public resources to reduce poverty and hunger must come from domestic and international sources, vertically coordinated and integrated, managed bottom-up and administered by women.
- Food security and rural development must be addressed in an integrated way.
- Poverty reduction has to be combined with global public services.
- Private investments can complement (but not substitute for) public ones.
- Programmes directly linked to access to food in hand of women improve the situation of vulnerable groups, and women-headed households and victims of diseases and disasters should receive special attention.
- Food aid must be targeted to avoid distorting non-market and local production systems.

### A perverse food trading system

According to FAO data, the food gap is expected to widen. Assuming the same per capita consumption, the gap will expand by 80% by 2008, while the nutritional gap will increase by 65%. As a result, in 35 poor countries the nutritional requirements will fall short and in 47 countries per capita food intake is expected to fall.

Developing countries are increasingly dependent on food imports, especially in staples. Poor countries' exports on the world market amounted to 26% of trade in 1995–97, about the same as in 1980. Meanwhile their share of imports rose to 37% in 1997 from only 28% in the 1970s. The import increases are even higher for least developed countries (c. 50%) and net food-importing developing countries (c. 40%).

This perverse food trading pattern is the result of complex, multicausal and interlinked processes at several levels. The factors include unequal trade agreements; indiscriminate opening of agricultural markets in the South; the legacy of structural adjustment; subsidised international food prices; the modernisation of agriculture to serve corporate agribusiness; food chains in the hands of transnational enterprises; national elites linked to productive, financial and service monopolies; export of raw material and import of basic food and consumer goods within a system of unequal terms of trade; debt and its services reducing budgets for regional and national development; patriarchal culture in families and societies; corruption; and national policy in poor countries which abandoned rural development as a result of insufficient economic stimulus to produce when international prices dropped under the influence of subsidies and other trade supports.

For the South, global transformation means unemployment, international migration, public insecurity, and hazardous environmental changes that have also led to environmentally induced displaced persons and migration. For poor peasants and women the only alternative is massive emigration from rural areas, generating a reduction of environmental services, the growth of metropolitan areas, and the increase of urban poverty, gender discrimination, internal inequality and conflict with industrialised neighbour countries.

### Case study: Mexico after a decade of NAFTA

NAFTA's promise of trade, openness, jobs and improvement did not benefit the Mexican population as a whole, and environmental conditions got significantly worse as Mexico became more integrated into world markets. Here are some data:

- Economic growth has been slow, less than 1%.
- Job creation has not been able to absorb more than a million young people into the labour market. The new jobs available lack social protection and trade union protection. About half the economically active population works in the informal – some of them in the illegal – sector.
- Wages have declined by more than 60% since 1982, and since joining NAFTA by 23%.
- Poverty has increased for 75% of people living below the poverty line.
- In the rural areas, 80% of the peasant sector are in poverty, half of them in extreme poverty. More than 1.7 million people have left the rural areas since 1994 when NAFTA was signed, migrating to the urban areas; half of a million have migrated to the United States.
- Environmental deterioration represents a loss of about 10% of annual GDP.

All these adverse conditions affect women disproportionately. Women have not only to deal with migrating husbands and take entire charge of the family, but also to care for the land and the survival of their children and elders. In the rural areas, agriculture is becoming feminised.

#### Poverty in Mexico

- 78% of Mexicans live in poverty and rural poverty is over 80%
- 28% of Mexican children are poor (UNICEF, 2005)
- Income per capita: place 80 (WB, 2005)
- 43% of consumption is concentrated in the hands of 20% of the richest people
- Minimal requirement to live 70 pesos (US\$ 6.2) per day

- Economically active population: 43 million: 12.5 million in formal sector
- Occupied population: 26 million: 7% households earn less than 1 minimum salary (INEGI, 2005)

### NAFTA and food security in Mexico

- NAFTA has not increased Mexico's food security. From 1985 to 1999 the price of maize dropped 64% in real terms, while that of beans sank by 46%. The cost of the basic food basket, however, rose by an alarming 257% over the same period. The costs of importing food amount to US\$ 78 bn.
- Imports exceed exports, producing a deficit in the trade balance. Maize and other basic grains are actually being imported; imports of maize have more than doubled (increase from 2.5 to 6.148m tonnes; 95% of soya, 58.6% of rice, 49% of wheat, 25% of maize and 40% of meat are imported).
- While in the USA, subsidies in agriculture amount to US\$ 21,000 per hectare, in Mexico they are just US\$700 per hectare.
- Mexican agribusinesses make profits of between US\$ 1bn and US\$ 3.3bn per year.

### Corporatised agriculture: Agrifood

- Increasing food insecurity inside individual countries and continents, on the one hand, and greater production but fewer buyers on the other hand, are two sides of the same process: the corporatisation of agriculture or agrifood.
- Global free trade agreements treat small farmers as 'trade barriers', which together with workers and social groups who defend their existence, should be eliminated. The national economy depends on the world economy.
- The global network of financial markets produces short-term investment, speculation and periodic economic crisis.
- Foreign investments are in the hands of transnational corporations, who apply a 'rational' division of labour bringing labour-intensive jobs to the South and allowing a low skilled labour force to immigrate to industrialised countries.
- Less developed states are obliged by international financial institutions to impose self-inflicted restrictions.
- Subsidies and other supports for transport, infrastructure, communication and research benefit above all corporate agribusiness, ignoring environmental and health costs.
- Global communications promote a homogenised consumer society with a single consumption-based culture.
- Trade is regulated through agreements between

blocks of nations and local or national food security is lost.

- The nation state has fewer options to compensate for the side-effects of the globalisation process, and trade agreements force it to support the corporate system.
- The new labour force must be flexible, with high technological qualifications, where research and innovations are the most important elements.

### Food sovereignty with gender equality

The following are some steps that I consider necessary in order to obtain and sustain food sovereignty with gender equality:

- **Promote and protect** local agricultural production and trade, with access for female and male farmers to water, seeds, credit, and technical and financial support.
- **Guarantee** women's access to land for production and livelihood, in order to overcome the violent and patriarchal structures within households and countries, and in the global economic system.
- **Promote** women farmers as key actors in food issues and agricultural production and commerce.
- **Anchor** the participation of women, indigenous people and farmers in the definition of national and regional rural policies.
- **Recognise and respect** people's right to produce and consume healthy, permanent and culturally accepted food, locally produced, sold, cooked and consumed. Recognise and respect the right of regions and nations to protect themselves from subsidised food imports, establishing agricultural prices which cover production costs.
- **Fulfil** national and local governments' obligations to improve nutrition by stimulating local food production and processing, clean water and sanitation, and the elimination of parasites.
- **Link** environmental services to farming, land planning and participative democracy in such a way as to allow people, as of right, to live a dignified life in their own village and country.

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**MEENA RAMAN,**

Chair, Friends of the Earth International

## The GMO case at the WTO: Towards a strengthened system of biosafety<sup>28</sup>

### Introduction

In May 2003, the United States, supported by Canada and Argentina, initiated a formal complaint to the WTO against the EU over the EU's authorisation system in relation to genetically modified organisms (GMOs). The complaint

refers to EU measures affecting the approval and marketing of GMOs and products derived from GMOs. The complainants allege that the EU had a *de facto* moratorium that resulted in 'undue delay' in the regulatory structure dealing with GMO authorisations in the EC. The national bans put in place by some EU member states on specific GM products have also been challenged.<sup>29</sup> Other countries have expressed an interest in the outcome of the case.

Civil society groups believe the US-led coalition is using the WTO to push GMOs into Europe and around the world despite increasing opposition to GM foods and crops. This dispute relates to the use of the precautionary principle by governments as well as the level of protection that countries can establish to protect people and the environment against the risks of GMOs.

Immediately after the start of the legal complaint, Friends of the Earth International launched the 'Bite Back: Hands Off Our Food!' campaign. A Citizens' Objection to the US complaint was sent to the WTO, signed by over 134,000 people and over 740 organisations representing 60 million people worldwide. The main demand is the right of citizens and governments to choose whether they want GM food and crops or not.

Caving in to pressure in the WTO and a decision in favour of the biotech industry would result in only a few winners – big biotech corporations – but many losers: concerned consumers, farmers (especially in developing countries), and the environment.

### The US and its allies act on behalf of agribusiness

The US has initiated the dispute to help big agribusiness. US maize farmers claim they are losing 300 million dollars a year because they cannot sell their products in Europe. George Bush accused the EU of impeding efforts to feed the world by restricting trade in GMOs. He stated that 'European governments should join – not hinder – the great cause of ending hunger in Africa.' However, even US studies show that GMOs do not lead to increased crop yields. GMOs won't deliver food security but will quite possibly make the situation worse as biotech companies attempt to make developing-country farmers dependent on them rather than self-sufficient. For example, the patenting of GMO seeds means that farmers are not allowed to save seeds from each harvest for replanting but must always buy new seeds.

It is almost impossible for GMO farming to coexist with

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<sup>28</sup> I would like to acknowledge the contribution and inputs from Friends of the Earth Europe in the preparation of much of this paper.

<sup>29</sup> Lim Li Ching (July 2005): *European Communities – measures affecting the approval and marketing of biotech products*, <http://www.biosafety-info.net>, Third World Network.

conventional or organic farming. Scientists predict that, if some GMO crops are grown on a large scale, other crops will inevitably be contaminated (e.g. through pollen flying from a GMO field to a conventional one), allowing GMOs to spread everywhere. Cases of such contamination have already been documented.<sup>30</sup>

### The Biosafety Protocol

Given the concerns raised by biotechnology, and primarily at the insistence of the developing countries, the Cartagena Protocol on Biosafety was adopted by governments on 29 January 2000 and came into force on 11 September 2003. It is the main international legally binding treaty regulating 'the safe transfer, handling and use of living modified organisms resulting from modern biotechnology that may have adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health'.

The Protocol is significant as the first global treaty to attempt to contribute to the protection of biodiversity and human health in this field, and the first treaty to operationalise the precautionary approach in decision-making relating to imports under the Protocol. As of July 2005, there were 124 parties to the Protocol.<sup>31</sup>

Although the Protocol focuses on transboundary movements of GMOs, its provisions also influence national and regional biosafety policies and laws. The Protocol sets minimum requirements and parties have the right to formulate more comprehensive national laws with higher standards (Article 2(4)).

### The precautionary approach

Principle 15 of the Rio Declaration states that 'In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.' Elements of the precautionary approach find reflection in a number of the provisions of the Biosafety Protocol, e.g. Articles 10.6 and 11.8: 'Lack of scientific certainty due to insufficient relevant scientific information and knowledge regarding the extent of the potential adverse effects of an LMO on biodiversity, taking into account risks to human health, shall not prevent a Party of import from taking a decision, as appropriate, with regard to the import of the LMO in question, in order to avoid or minimise such potential adverse effects.' Further, Annex III on risk assessment states that 'Lack of scientific knowledge or scientific consensus should not necessarily be interpreted as indicating a particular level of risk, an absence of risk, or an acceptable risk.'

### The dispute

**The US-led coalition** alleges that Europe has refused to give approval to a number of new GM foods; has stopped processing the applications for new GMOs; and has not taken action to stop EU member states from banning GM products. It argues that Europe's position violates WTO rules and is a barrier to trade. It further claims that farmers have lost exports in the EU because GMOs are not accepted there, and that the EU's moratorium was impeding efforts to feed the world.

**The European Commission** claims that the GMO regulation falls outside WTO rules and should be under the competence of the Protocol on Biosafety. It says that the dispute panel should ask for experts' opinion on the scientific and technical questions raised by the dispute. The EC argues that there was no moratorium but a delay in the process to approve new GMOs. The EU was developing and revising its legislation on GMOs at that time. Owing to uncertainties regarding the safety of GMOs, the EC argues that a precautionary approach needs to be adopted. The EC also holds that member states can ban a GMO on the basis of their own risk assessment and using the safeguard clause (at least temporarily).<sup>32</sup>

**The technical and scientific panel:** The WTO Dispute Panel has requested an experts' opinion. Six scientists were appointed and their opinion was discussed with the panel. The panel is not required to look for scientific opinion, and the experts' opinion, the documentary basis, and questions put to the experts have not been published yet. It is vital that the experts' opinion be appended to the ruling.

An interim ruling is now expected on 5 January 2006 and the final ruling will probably be released at the end of March at the earliest. The ruling was postponed after the parties raised several new issues and because of the vast amount of material to be reviewed as a result of consultation with experts. However, in some quarters it is thought that a postponement is needed to avoid any likelihood of the ruling influencing the Hong Kong negotiations.

### What the EU has done since the start of the dispute

The EC has approved four new GMOs (three maize varieties and oilseed rape) for food and feed use but not for

<sup>30</sup> See FOEI (May 2005): *Tackling GMO Contamination*, FOEI publication, <http://www.foei.org>.

<sup>31</sup> Third World Network, *Biosafety Information Service*, HYPERLINK "<http://www.biosafety-info.net>" <http://www.biosafety-info.net>.

<sup>32</sup> Member states had adopted bans to GMOs on the basis of the safeguard clause at EU legislation on GMOs.

cultivation.<sup>33</sup> No qualified majority was reached on whether to approve or reject these GMOs. This led to a situation where the Commission was able to decide on the approval of new GMOs (as provided for under EU law).

The EC also tried (and failed) to lift the national bans put in place by some member states. Member states voted in favour of the national bans at the 24 June 2005 Environmental Council. For the first time, a qualified majority of members was reached at the Council for the decision.

The EC has commercialised 17 varieties of GMO maize seeds for cultivation. The European Food Safety Authority gave positive opinions to all these applications, although some EU member states disagreed about the potential adverse impacts of such GMOs.<sup>34</sup>

There is significant opposition to GMOs in Europe. New bans on the Monsanto maize MON 810 are in place on the basis of the safeguard clause in Greece, Poland and Hungary. More than 164 regions of the EU have taken positions in opposition to GMOs and have declared themselves GMO-free zones. 70% of European citizens do not want to eat GMOs.

In the developing world, too, awareness is rising among consumers and farmers against GMOs as more information is provided on the risks they pose. Expressions of opposition to GMOs by local government and consumers in Europe have clearly influenced public opinion in the developing world.

### Some key issues arising from the dispute

This case raises several questions about the relationship between trade and the environment.<sup>35</sup>

- Is the WTO the competent forum to deal with biosafety (and environmental) issues?
- If the Biosafety Protocol should be the international authority dealing with biosafety, how will it deal with non-parties which are the main GMO exporters? The three complainants in the case – the US, Canada and Argentina – are not parties to the Biosafety Protocol.
- Given the various international agreements that govern trade and environment issues, will there be forum shifting, depending on which forum suits which and whose agenda? The outcomes may depend on where disputes are heard.
- Which predominates, the WTO or the Biosafety Protocol? The WTO agreements predate the Cartagena Protocol. Under the usual rules of treaty interpretations, one could argue that the Protocol, as a more specific agreement and a more recent law, overrides the WTO agreements. However, owing to compromises made during the Protocol's negotiations, the language defining the Protocol's relationship with other international agreements is contradictory, so it is unclear how far the WTO dispute panel will take the

Protocol into account.

- Will WTO members be able to develop and maintain a regulatory system for GMOs consistent with the Biosafety Protocol that allows the use of the precautionary approach, when the scientific evidence is not conclusive as to the safety of GMOs? The panel decision will certainly have implications for all countries in this regard.
- Moreover, will developing countries that do not yet have a biosafety system or legislation in place be able to argue that they are not ready to take a decision on a GMO application, or will they be challenged by the US as causing 'undue delay' in their authorisation procedure? There is little doubt that this case is also meant as a warning to other countries not to restrict GM food and farming. The US has used the threat of disputes in the WTO against Croatia, Sri Lanka, and Bolivia, which were considering GMO legislation or bans.
- The international regulatory framework and landscape governing biosafety is dynamic and evolving as scientific, political and social debate develops; can existing trade and environment agreements deal with this?

### What MEPs should call on the Commission to do

#### At the WTO:

- Ensure that the WTO recognises:
  - the rights of governments to develop laws to protect humans, animals and plants from the risks of GM food and farming, including the right to impose a ban on such products or set strict labelling requirements.
  - the precautionary principle and approach and the rights of governments to take such measures as necessary to protect human health and the environment where there are threats of serious or irreversible damage despite a lack of scientific certainty.
  - that decisions concerning regulation of international trade in GMOs should be made in accordance with the UN Biosafety Protocol and not by the WTO.

#### At the EU level:

- Refrain from further approvals to GMO products until EU rules on coexistence, backed up by Community-wide civil liability and insurance legislation, are in place to protect the current freedom of farmers and the public to choose non-GMO food.<sup>36</sup>

<sup>33</sup> After the hearing the Commission has approved another four GM maize varieties (one GM maize on 3 November 2005 and three GM maizes on 13 January 2006). The Commission has also overturned the Greek's ban on Monsanto's MON810 on 10 January 2006. The Commission took this decision after no qualified majority was reached at the EU council to support the Commission's proposals.<sup>34</sup> The EUROBAROMETER opinion poll, published by the EC in 2001, and national opinion polls have shown similar results.

<sup>35</sup> Lim Li Ching, *op. cit.*

<sup>36</sup> The European Commission has left the coexistence legislation up to EU member states. A few countries have developed coexistence rules but the majority haven't yet. Many people believe that a EU legislative framework on coexistence should be put in place.



- Refrain from approving any GMO for which there remain differences of scientific opinion between member states, or between member states and the European Food Safety Authority, on the safety of the product.
- Respect the concerns of EU member states regarding the potential adverse impact of GMOs and abstain from overruling those concerns by trying to lift their national safeguard measures.
- Support EU member states in establishing new bans to GMOs, especially in light of scientific disagreement.
- Adopt the policy recognising that the prohibition of GMO cultivation in certain areas may be the most effective and least costly measure to ensure coexistence, and that it must be available to the member states and regions when implementing Article 26a of Directive 2001/18/EC.
- Adopt a policy respecting the wishes of regions that want to be or to remain GM-free.
- Review the mandate of the EU Trade Commissioner with a view to increasing democratic accountability to the people of Europe.

#### **In relation to developing countries:**

- Provide all forms of support and assistance to ensure proper, strict biosafety policies and laws are in place in developing countries.
- Actively support and promote sustainable agriculture in the developing world to ensure food security and the protection of farmers and sustainable livelihoods.

In this regard, current proposals by the EC at the WTO on the agriculture agreement calling for further liberalisation of agriculture in the developing countries must be resisted and the continued provision of subsidies to farmers in Europe and the US, which has led to the ruin of farmers in the developing countries, must end urgently.

#### **Conclusion**

It is clear that the WTO is not the appropriate forum to determine matters related to environment and public health. GMO-exporting countries should not be allowed to advance trade in GMOs by using the WTO dispute settlement mechanism to prevent national governments from undertaking genuine health, safety and environmental measures. Further, the WTO should not be used to instil fear in countries that genuinely want to put in place strong biosafety legislation to protect the environment and public health.

#### **DISCUSSION**

For reasons of time there was no discussion from the floor of this series of presentations. Claus Sørensen responded briefly. He said that the marketplace is unfolding inexorably, with or without liberalisation or WTO rules, which

is why regulation is important. The EU's response has been to combine market liberalisation and resource transfer; for poor countries a resource transfer mechanism is necessary, and this is development assistance. The moving of subsidies away from consumption (via cheap food policies) to budgets increases accountability.

An increasing share of EU development assistance is channelled through NGOs, especially in the South, and with an emphasis on governance to ensure good-quality public debate and lack of corruption.

The facilitator asked why we are not mandating the Trade Commissioner, Peter Mandelson, to deal with these issues. The EP cannot mandate him, Mr Sørensen said, but civil society actors do have a responsibility to get the WTO to address these issues. If the EU and its representatives were obliged to open up these issues, this would allow civil society to do its job.

### **SESSION 3: ON THE ROAD TO HONG KONG: TOWARDS A SUSTAINABLE, GENDER-FAIR, JUST GOVERNANCE**

*Facilitator: Frithjof Schmidt MEP*

As the third and last session of the day opened, facilitator Frithjof Schmidt MEP observed that debates about trade and development seem to take place on two separate, non-communicating planets, one for sustainable development and gender justice, and the other for the WTO and the trade negotiations. This lack of communication is at the root of the problem being discussed at the hearing. His personal impression was that Peter Mandelson lives only on Planet WTO and looks like an alien on Planet Sustainable Development. And in this he is broadly representative of the other important figures at the WTO.

However, Mr Schmidt reminded participants, we really live in just one world, so it is vitally important that the outcomes of other important international processes – Beijing +10, the MDGs, and the WSSD – should be taken into consideration at Hong Kong.

In this session, a panel of speakers addressed the Hong Kong negotiations from different points of view, taking into account the outcomes of Beijing +10 and the WSSD and the MDGs.

Ms Renate Nikolay, representing the Cabinet of EU Trade Commissioner Peter Mandelson, prefaced her presentation by apologising on the Commissioner's behalf for his absence, since he was on his way back from meetings on the negotiations in Geneva and London, and said that her

presentation would convey his views and approach on the Hong Kong negotiations.

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**RENATE NIKOLAY,**

Member of Cabinet of EU Trade Commissioner Peter Mandelson

### **The current state of the WTO negotiations: the EU's position**

The WTO world is quite complex. Let me try to give you a flavour of where I think things stand currently in the negotiations. The signals are not at all clearcut.

#### **On the positive side:**

- We seem to have moved from a mode of political posturing to one of real negotiation, and this is important because it is high time to do so;
- We have moved beyond agriculture, and this is key because it is important not to see the Doha Development Round as an agriculture round only.

#### **On the negative side:**

- The positions are still very far apart, so I cannot really report on a great convergence of views;
- There is a tendency for some already want to lower the ambition of the Hong Kong meeting. This is unfortunate, because we would lose the massive opportunity that we have just now to make as much progress as possible between now and the Ministerial Conference in Hong Kong.

### **Breaking the stalemate on agriculture**

Four weeks ago, the picture would have been worse, because then we were in an absolute stalemate at the WTO: nothing had moved, there were meetings in Geneva or elsewhere, mini-ministerials with ministers from key WTO member states coming together and repeating the formal positions that we had been hearing for far too long. What changed it was something where the EU had a key role to play. In July, we created a new negotiating forum – some call it the ‘New Quad’, but I don’t want to stress that too much as the situation is still floating – but it was a key development at the time. It brought together India, Brazil, the EU, and the US. All of these four WTO members have big interests in the round, and they all have offensive and defensive ones and can make linkages, which, after all, have to be made at a certain point in time in any negotiation.

This “New Quad format” created an interesting dynamic. Usually, it is the EU that comes under pressure on agriculture rather than the US. In July, there was pressure on the US to finally show their cards on domestic support, where

they hadn’t done anything so far. And it then came as a big surprise that, four weeks ago, the US actually put a new agricultural offer on the table. The US offer is not perfect – it has flaws on domestic support and it is over-ambitious on market access, proposing a free market for agricultural goods, which is far too much for one round and not development-friendly. But I think it is fair to say that it is a step in the right direction and that it created a momentum.

And it put pressure on us to show more of our cards on agriculture. Those of you who live in Europe know how difficult it was for us internally to discuss that with Member States and to come up with our new agricultural proposal on 28 October. It was difficult and important to strike the right balance between what is tolerable for both the EU agricultural sector and the developing countries, on the one hand, and the legitimate expectations of those out there with offensive interests in agriculture – the main agricultural exporters such as the Brazilians, the Australians, the US, the New Zealanders.

I think the offer we put on the table in October is a credible and substantial move. It is far more than we have ever put on the table on agriculture and it fulfils what we said we would do in the July 2004 Framework Agreement: it provides substantial improvement in market access. And it is important to add that it doesn’t wipe out preferential access for developing countries.

All of this has allowed us to move out of this agricultural ‘silo’, as some call it, in the DDA, and to tackle the other issues. It is time to discuss industrial tariffs, services, and, most importantly, the development aspects of the round, in order to shape a vision for Hong Kong. And it is also necessary for us to start making the necessary linkages to create a win-win situation for all sides.

We cannot go to Hong Kong without a development package – this round fails if it doesn’t deliver on development – and agriculture alone cannot do the trick. Of course we will contribute to prospects for developing countries if we eliminate or reduce substantially trade-distorting domestic support. Of course we will contribute to development if we eliminate our export subsidies. As far as market access is concerned, one has to bear in mind that the situation developing countries find themselves in is not homogeneous. There are some developing countries that will immediately benefit from it, but there are others who would like to keep preferential access for some time, and to get ready for the structural changes they need to go through. That is why I think we need an agenda that goes beyond agriculture and that tackles development needs more broadly.

### **The EU position on other chapters**

On **industrial tariffs**, I think it is not good enough for this round just to find a solution along the North–South divide. Let us not forget that 70% of today’s tariffs are paid

between developing countries. Thus, developing countries have a lot to gain across the board from increased South–South trade. In that respect, what we want is not too ambitious for developing countries, and is not limiting too drastically the policy space they need. And it is in full respect of the principle of less than full reciprocity. Why is that so? Because what we put on the table is very low-level for least developed countries (LDCs) and other weak and vulnerable countries, the G90 type of developing countries. We asked them to bind a reasonable number of their tariff lines: we are not talking about their binding all their tariff lines. This will to a certain extent limit policy space; but there is still a lot to negotiate with them on this; and I think a contribution to the multilateral trading system is an important commitment that we have to ask from our trading partners, whether they are developed or developing countries, because that creates the momentum of the WTO.

Furthermore, there will always be flexibility, even for the emerging developing countries. We want them to offer real market access. It is in my view not good enough for an emerging country such as India or Brazil to go down only to the level of the tariff you apply today. There has to be a contribution to substantial improvement in market access also from them. But there have to be flexibilities, transition periods, there will be carve-outs, there will be sensitive sectors where they don't have to do anything.

On **services**, I know that a lot of concern was voiced with regard to 'our new approach'. Let me be honest and stress that the services negotiations have shown a total lack of progress so far. We haven't got anywhere since we started in Doha. The request-and-offer approach is very complicated, and it is also unfair because, if you don't have the same expertise back home, if you are a small developing country trying to come to grips with these WTO negotiations, it is very complex and difficult to go through that request-and-offer process, domestically and internationally. So I think our attempt aims on the one hand at achieving substantial progress, and on the other hand at providing a tool that can be used better by developing countries.

Let me stress a couple of points that I think are often misread, judging from some of the public statements I have seen. We don't force LDCs or any other developing countries to select this or that sector, or to regulate their services sectors in a certain way. They will still have their sovereign right to regulate. All we are asking from them is not to discriminate against foreign vis-à-vis domestic suppliers. The choice of sectors is fully up to them. There will be plenty of flexibilities and transition periods for developing countries. So I think we should get some credit for what we are putting on the table, which is meant to be a step in the right direction.

### **Progressive liberalisation**

All this shows that we believe in progressive liberalisation. Not everything can be done in one go, in one round. There

has to be additional help for developing countries to adjust to the needs of market opening, and in order to do that it is not enough to look only at the developing countries' needs under various pillars of the negotiations, we also need a proper development package for Hong Kong. And there we have also put very concrete proposals on the table. We asked others to join us in offering duty- and quota-free access for LDCs for all products; we also paved the way for an initiative on cotton and asked others to join us on that; we are very constructive in trying to make progress on TRIPS and public health; and, finally, we are committed to offering a trade-related assistance package, a kind of aid-for-trade package, at Hong Kong. If we can create a combination of some of these tools for Hong Kong, I think we would have a good start to present to developing countries in that round.

### **Conclusion**

My conclusion would be that it is far too early to give up and to talk down the DDA and Hong Kong. We need the political level to keep the momentum, we need to energise the new director-general of the WTO even further and to show leadership. There is no alternative to this DDA. If Hong Kong fails, if this DDA fails, what is the alternative for developing countries? There will be new preferential arrangements, because there are economic interests at stake, and this will not create a better situation for developing countries; they will not be better off in a situation with plenty of bilateral or regional preferential arrangements where they are left out. I think that a balanced DDA deal can achieve both – a significant increase in market opening, and provision for development.

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**CHRISTA WICHTERICH,**

Women in Development Europe (WIDE)

### **On the road to Hong Kong: Towards a sustainable, gender-fair, just governance**

I understand that the agenda of the WTO and the EU is concerned with how to speed up liberalisation and push for rapid market access without any barriers and limitations. But I would like in this presentation to take a step back and ask: Does this make sense, for developing countries and from a gender perspective?

### **The impact of trade liberalisation on women**

WIDE has been working for 20 years on development and women's rights, and since 1995, the year of both the Beijing women's conference and the formation of the

WTO, particularly on the development–trade–gender nexus. We monitor the impact of trade liberalisation on women, in particular on poor women, and assess the promised win–win situation for women against the gender-equity effect of the free-trade agenda as well as that agenda’s win–win and equity effects on developing countries.

More and more, facts, figures and other empirical evidence are proving how uneven, unequal and unstable the effects of trade liberalisation are. Growing inequalities among and within countries show that trade liberalisation does not generate equitable development. A growing body of empirical data indicates the particularly harmful effect on poor women in the global South, where free trade does not lead to economic growth but to new forms of poverty and insecurity. Let me quote four examples from the agricultural, industrial and service sector:

- The large-scale export of frozen chicken parts from Europe to West Africa is a well-documented example of how the subsidised dumping of agricultural products from the North outcompetes small-scale and subsistence farmers in those countries, most of whom are women. This erodes complex production and trade systems and consistent value chains in the respective countries, destroys the livelihood of small farmers, producers and traders, and worsens the prevailing food insecurity of poor and vulnerable groups in these societies.<sup>37</sup>
- Women have been called winners in trade liberalisation and foreign direct investment because these trends gave them jobs and income in labour-intensive export production. However, the recent conclusion of the Multi-Fibre Agreement showed that these gains are not at all sustainable. The ending of the quota system and further liberalisation lead to deindustrialisation, loss of women’s jobs and unemployment in many countries. Simultaneously, the growing competition after tariff reduction and the ‘race to the bottom’ lead to more subcontracting and further informalisation of the production chain, resulting in poor working conditions in sweatshops and less income for casual and piece-rated homeworkers or self-employed workers. This leads in turn to growing insecurity of income and employment and a high risk of becoming ‘working poor’ or unemployed.<sup>38</sup>
- In countries where markets are opened to foreign retailers, big food chains and supermarkets, a kind of economic cleansing of market places by municipalities and governments is taking place. Women street vendors who have struggled for many years for space in local markets are pushed aside so that middle-class customers can have free access to multinational chain stores and brand-name malls.
- Lowering tariffs reduces governments’ income and makes for further dis-investment in public services and dismantling of public institutions. But poor women depend, for example, on public health care and afford-

able generic medicines because they cannot afford private service providers and expensive medicine.

This is not to deny that a number of highly skilled women do benefit from trade liberalisation. However, at the same time millions of women workers, smallholder farmers and petty traders are losing access to productive resources, space in domestic value chains and markets, and livelihoods and entitlements. The terms of trade for the working poor, especially women, are not improved by trade liberalisation as enshrined in the AoA, NAMA and GATS. On the contrary: the social and economic rights of women spelled out in the Beijing Platform for Action are ignored or even defined as trade barriers subject to deregulation. Meanwhile, governments’ space and opportunities to enforce women’s rights and fight poverty in the framework of the MDGs are restricted.

### Development goals and the trade liberalisation strategies of the EU

As a European network, WIDE has an eye from a gender and development point of view on the EU and its strategies in the WTO. We see the Commission as a driving force behind the expansion of the scope and mandate of the WTO, the concept of ‘deeper liberalisation’ and WTO-plus agreements, and the current shift to new work methods in the WTO and the shift ‘from stand-off to trade-off’, as Trade Commissioner Peter Mandelson called it (London, 21 July 2005).

WIDE is alarmed that development objectives are increasingly subordinated to, and bypassed by, the proactive, fast-track liberalisation course currently being taken by the Commission. The EU demands rapid and radical market opening from countries of the South in exchange for the very limited opening of its own agricultural sector. We contest the package-deal and bargaining-chip strategy because it implies breaking the promise of development made at Doha. Instead of rebalancing multilateral trading rules in the interests of developing countries as promised at Doha, the very same rules for trade liberalisation and accelerated market access are redefined as ‘fundamentally important tools in the fight against poverty and achievement of the Millennium Development Goals’ (Pascal Lamy, WTO Director-General, at UNCTAD, 06 October 2005). Lamy calls ‘services opening ... an indispensable element of development strategies’ (Montreux, 05 October 2005).

Despite the proven fact that in many countries there is no link between trade liberalisation and growth or growth and poverty reduction, progressive market access is

<sup>37</sup> See [http://www.aprodev.net/trade/Files/JAP/poulet\\_congole.doc](http://www.aprodev.net/trade/Files/JAP/poulet_congole.doc).

<sup>38</sup> See <http://www.maquilasolidarity.org>; fact sheets on Multi-Fibre Arrangement.

declared a one-size-fits-all model for development. By demanding the introduction of benchmarks into GATS, applying the Swiss type of mathematical formula for tariff cuts, and demanding the binding of tariffs at a low level, the space for decision-making by national governments, for choosing heterodox economic policies and for domestic regulation is dramatically reduced.

Simultaneously, in the name of development and poverty reduction, the EU has retabled the Singapore issues in its Economic Partnership Agreements (EPAs) with ACP countries, although those were clearly rejected by the ACP countries at Cancún.

Appropriating the language of development, the new modalities and the new complementary approaches is not only to the detriment of the principle of flexibility in GATS; it disrespects other governments' decision not to accept imposed issues and proposed multilateral rules, and actually turns the promised development agenda into an agenda which distorts development in the South. The question is: Whose development is the EU talking about?

Explaining the rationale behind the Commission's current free-trade offensive, Peter Mandelson has said that, after the rejection of the EU constitution, the EU needs to demonstrate political unity with a common commercial policy in order to improve its competitiveness vis-à-vis the US and the emerging markets in Asia and to 'strengthen the external economic leverage' of the EU (London, 21.07.05). The Commissioner's slogan 'Big in Europe, big in the world' leaves no doubt that this strategy is adopted in the interests of the big EU-based corporations and links liberalisation of the EU's internal market to WTO agreements, since it is done complementarily with the EU Services Directive and GATS. Again, the question is: Whose gains is the EU talking about in the Doha Development Round?

Recently, the World Bank corrected its earlier projections about the gains from the Doha scenario. Not 60% as projected two years back would go to developing countries, but only 30%. Most of these benefits will be captured by a small number of large developing or middle-income countries, and in those countries, in fact, by big business. While the poverty reduction impact is microscopic, 70% of the gains would go to the developed countries.<sup>39</sup> The majority would lose more than they gain.

WIDE contests the offensive, corporate-oriented liberalisation strategy of the European Commission, which promotes its own interests at the expense of development in the South and of the weaker economic actors, such as women farmers, workers and traders in the global South. In many countries with developing economies, including the ACP and LDC countries, further tariff cuts for agricultural as well as for non-agricultural goods, and the dismantling of protection of domestic markets, means 'kicking away the ladder', as the economist Ha-Joon Chang called it<sup>40</sup> – the ladder to the development of effective domestic markets, to food sovereignty, to the protection of

weaker sections of the economies such as informal economies, women farmers and traders, small and medium enterprises, public goods and public services.

WIDE also contests the definition of coherence between development and trade policies recently forged by the WTO and the Bretton Woods institutions. The World Bank offers development aid in the form of new loans to developing countries for covering adjustment costs alongside the opening of markets. The World Bank's 'Aid for Trade' adjusts development aid to trade liberalisation. WIDE's understanding of coherence is just the opposite: it presumes that trade must be adjusted to a development framework of social justice, the enforcement of human and women's rights, the reduction of inequality, and poverty eradication.

### Fair trade agreements and gender

Recently, feminist concerns about gender inequality and trade have been acknowledged not only by UN organisations but also by the World Bank and economists. Market access for women is made the key to gender equality just as it is made the panacea in the neoliberal regime of free trade. UNCTAD and others demand 'to make liberalisation work for women'<sup>41</sup> by providing them with more jobs in export production, better career, investment and entrepreneurial chances, and more credit facilities. However, given our analysis of the WTO agreements and the pressure for progressive liberalisation exerted by the EU, WIDE does not recognise that greater participation of women in trade liberalisation and more benefits for women would by themselves be the solution to unfair distribution, social inequality and the new forms of poverty systemically generated by the free trade agenda.

WIDE goes beyond the demand for equal rights and gender equality. We question the export- and free-trade-oriented, one-size-fits-all development model. We challenge trade agreements which violate or involve high risks to human rights, especially those of poor women, such as the AoA, which endangers the right to food, or TRIPs and GATS, which endanger the right to health. We argue that the WTO agreements should not delink trade objectives from social, environmental and sustainability objectives.

Fair multilateral trade agreements must include, from the outset, consideration of equitable and sustainable development and social and environmental policies. Fair multilateral trade rules must leave space and political options to developing countries to protect domestic markets, local producers and traders, as well as public services and goods. Fair trade rules should include one principle spelt

<sup>39</sup> See <http://ase.tufts.edu/gdae/pubs/wp/05-01ShrinkingGains.pdf>.

<sup>40</sup> Chang, Ha-Joon (2002): *Kicking away the ladder – development strategy in historical perspective*. London; Anthem Press.

<sup>41</sup> UNCTAD (2004): *Trade and gender. Challenges and opportunities for developing countries*, Geneva.

out in development cooperation and in environmental policies: the precautionary principle, or 'do no harm'. To ensure that trade agreements do no harm to the most vulnerable economies and most vulnerable sections in society, SIAs should be done before proceeding to a new round of negotiations and further steps of progressive liberalisation.

It is high time for a paradigm shift in EU trade policies. Trade agreements must be bound by the existing international agreements on human rights and women's rights, on ecological sustainability and the right to development and eradication of poverty. Therefore, WIDE asks the EU to stop its pressure and tactics for rapid progressive liberalisation immediately. The new modalities result in shrinking policy space for the majority of countries in the South, leaving them less options for heterodox policy choices and for poverty eradication, the protection of domestic markets, the improvement of the public sector and the enforcement of the social and economic rights of weaker economic actors such as women farmers, workers, traders and service providers.

Peter Mandelson has stated that the EU 'will take no lectures from anyone on the needs of developing countries or the development goals of the Doha round' (Geneva, 20 October 2005). Assuming that the EU is aware of poor women's development needs, WIDE would like to ask some guidance as to how we are to respond to our friends in the South when they inquire what is in there in the WTO agreements for their development:

- What answer does the Commission have for Dalit women in South India who are losing access to water because the groundwater level has dropped through irrigation for export production and the appropriation of groundwater for bottled water by TNCs?
- What answer does the Commission have for African women farmers looking for possible solutions to dumping and box shifting in the AoA?
- What answer does the Commission have for poor women in the global South, in particular the growing number of HIV/AIDS-infected women, for whom access to public health care and affordable generic drugs is a question of life and death?

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**MARTIN KHOR,**

Director, Third World Network, Malaysia

## **The EC's extreme WTO demands – a threat to developing countries**

### **Exports and imports**

I think the first point I would like to make is a very simple one, perhaps a stupid one: trade has two parts. One is exports: I think all countries would like to export more if

they can benefit from it to help their development. Sometimes, when you export more, it doesn't help you: for example, where there is too much coffee being produced, if you double your export of coffee you will get much lower prices and you will not benefit. So it is often not the case that more exports are better for you. But in many cases, if you can expand your exports in a way which is appropriate, it could benefit you.

The other aspect of trade is imports. This is where I think most NGOs in the South, at least, and many governments in the South, are very worried; because if you lower your tariffs, if you don't have subsidies, if cheap imports come in and your own farmers or industries cannot compete because they are 'inefficient', they get kicked out of business. They don't get kicked into efficiency as the theories want to believe, except in a very few cases; in many cases they are kicked out of business, because they are not so efficient, they are developing.

Worse still, when they are efficient, they can be kicked out of business when cheap imports come in that are artificially cheapened because of subsidies. This, as you know, is the case with chicken in Central America and the Caribbean, with chicken parts coming in from the United States, and with European chicken swamping Africa, particularly West Africa, where also you may have more efficient farmers in cotton who cannot compete in their own territory or elsewhere.

So we know these cases, where, ironically, even more efficient producers can get kicked out of business in the developing countries. That, of course, is the greatest irony and the greatest injustice. But even if a developing country producer is inefficient, he should not be kicked out of business. He should be helped to become more efficient. I think this is where the Doha agenda is causing a lot of worries and problems: the potentially disruptive and disastrous effect of greater import liberalisation, which can damage agriculture, services and industry in developing countries – unless, of course, you believe that necessarily greater liberalisation of imports will definitely help development and the poor. In that case, go all the way out to make sure that the tariffs go down to zero in all developing countries, as the fastest way to help them. Perhaps the World Bank believes that. We have all these calculations that are really wrong, because the calculations of welfare gains assume that most of these gains come from the consumer benefiting from buying cheaper products and therefore having a higher living standard. But these models assume that employment remains the same, and that you are just shifting workers and resources from less efficient to more efficient businesses. But in reality you shift them out of business instead of into efficiency and employment falls. The consumer benefits because he can buy a product 30% cheaper, but unfortunately he no longer has a job – so he has zero income to buy things 30% cheaper. I would prefer to have a job with 100% income and pay 30% higher! The models do not capture that.

### What is the European position at Hong Kong?

Therefore the top priority of Hong Kong should be to stop imposing liberalisation on developing countries, and that the developed countries themselves – even if they don't get liberalisation from developing countries – should unilaterally liberalise in areas where the developing countries can benefit, that is, in agriculture, particularly domestic support and export subsidy. That is the three-pronged agenda that the EU should have:

- Stop imposing liberalisation, as the first and most important point;
- Cut domestic subsidy, as our friend from the European Commission has said – don't just cut the bound, cut the applied, and then go below the applied, below the planned applied. Let's see whether that can be done in the case of domestic subsidy;
- Eliminate export subsidy by 2010.

You will be surprised to hear that that is actually the agenda of the European Union, in a speech made by Alan Johnson, Secretary of State for Trade of the UK, which happens to be the president of the EU at the moment – a very remarkable speech (see appendix). He makes the same points: that we must not impose liberalisation on the poor, and that we have to liberalise unilaterally in agriculture, because, he says – and please read his speech, which expresses it better than I could – the poor countries cannot develop if they have to liberalise too fast. Shock treatment will kill them, as the IMF has shown. We, the rich countries of today, preach liberalisation to them, we developed because we protected ourselves under very high walls, including the UK, including the US, including Japan, including Korea, including the Tigers. No country has developed without protecting itself first. And we should not continue to impose liberalisation. And therefore, in the WTO, the EU's top priority is to tell the LDCs, 'We don't want you to liberalise any further if you don't want to', and as for the emerging developing countries, we must also tell them, 'We do not want to impose liberalisation on you, you should have the policy space to have protectionist walls within which you can have the opportunity to develop as we did.' This is not a speech by me, but by Alan Johnson.

Now, I present this as the EU's position, or at least the position of an important EU member state, but it is not the position of the European Commission, which, eight days after this speech was made, did the exact opposite, demanding extreme liberalisation, as extreme as you can get, from the developing countries, in services, in NAMA industrial tariffs, and in agriculture, where the EU does not demand extreme liberalisation of developing countries because it has its own defensive interests. Others, such as the United States, are demanding it, and even the proposal of the G20 developing countries would impose additional and harsher liberalisation on the developing countries' agricultural sector than they were asked to do dur-

ing the Uruguay Round, although the domestic subsidies are not going to vanish but in fact may increase, as we know. They will not increase now, but in future, because, as speakers said eloquently in the previous panel, we are now seeing a game of box-shifting: you may shift from the amber and blue boxes into the green, but are you really stopping trade distortion?

The honourable Head of Cabinet of the Agriculture Commission told us in the previous session how farmers in the past were given money, either through higher prices or direct payments, linked to production, but now they can get payment up front – even if you produce nothing, you get money up front! So the wife says, 'How about a holiday in Greece?' – this kind of conversation is going on. That is trade distortion. The question to be asked about trade distortion is this: if a farmer does not get a subsidy – whether he uses it for production, or taking care of the environment, or taking his wife on holiday – will he still be in business tomorrow? If he is still in business because of the subsidy, then the subsidy is trade-distorting.

I think the figures show that the EC itself projects increasing production, even after the implementation of the CAP reform, and this shows clearly that there is an intention to continue production. Now I'm not saying the EU doesn't deserve to produce its own food – it does, perhaps not to 100% self-sufficiency, and there are some kinds of subsidy which, if given to small farmers on organic farms, may be justifiable. But by pretending that you are getting rid of trade distorting subsidies, are making such an ambitious offer, in domestic subsidy as well as in market access, I don't think you are going to fool anyone much. Maybe the president of France is saying that you have gone beyond CAP reform, but the EC is saying you haven't. In other words, you are not going to the applied level and below, you are going within your own bound level of the EC reform.

### Extreme demands by the EC

In exchange for this very low performance in agriculture, what is the EC demanding? As the Indian Minister said on the BBC yesterday, the EC is giving one inch – in fact, I beg to differ, I don't think you are giving even an inch – and asking not for one foot but for one mile. What are you demanding? In NAMA, I'm afraid, you are saying that what you are demanding of developing countries fulfils fully respects less than full reciprocity. You have to show us that. It does not respect full reciprocity at all if you have a single coefficient of 10 with your applied bound tariff of 5% – how much do you have to cut on average? Less than 50%, maybe 30%. A typical developing country with 30 or 40% average tariff, if you use a coefficient of 10, has to cut by 70–80%. This is not less than full reciprocity even in the narrow sense. And if you have a coefficient of 10 in the Swiss formula, what will happen to the developing countries' tariffs? All the tariffs will go below 10%, to between

zero and 10%; with some flexibilities – very stingy flexibilities – you are allowed only 10% of tariff lines, which will enjoy less than formula cuts, but they have to be at least 50% formula cuts, restricted to 10% of the total value of imports. Very, very stingy. Now, even if you may go down to 20 or 25%, say, or 30%, the EC says you have to cap at 15%; in no case can you go above 15%.

So a coefficient of 10 with a limit of 10%, flexibility but you have to cut at 15% – this is atrocious; it is actually outrageous. This is not forced liberalisation; it is forced industrial slavery; you can see in front of you miles and miles of cemeteries of industrial firms in developing countries stretching to the horizon. Why do you want to do that? This is the greatest machinery ever invented to create unemployment, poverty, violence, and terrorism in the developing countries. Don't do this to yourselves, or to us!

And don't say that you only limit policy space a little, that Southern countries will benefit more, and so on. Peter Mandelson has said that we need to get this NAMA in such a way because our business community wants something for the agriculture that the poor farmers are giving up. He has said it! It is the business community of the EU that is going to benefit from it. In other words, the business community goes to the third world and captures their market share, so that the third world's own industrial firms will lose their market share. That is the meaning. Why?

As for services, developing countries never wanted services in the WTO. They argued that it is not trade, it is an investment agreement. The developed countries told them not to worry, they would have maximum flexibility, they wouldn't have to liberalise if they didn't want to, and nobody would force them to do it. A few years ago, when the NGOs criticised the GATS, the Secretariat said, 'That's nonsense, this is a friendly agreement, you don't have to liberalise unless you want to.' When the EU wanted the investment agreement, it argued that we will have a GATS approach in the investment agreement, and not to worry, it would be a very flexible, development-friendly agreement with no pressure to liberalise unless you want to. Today we are told that out of 163 services subsectors, you have to commit to liberalising in 57% of those 163. Yes, you can say nobody is forcing you, you can choose out of 163 which of the 57% you want to liberalise. But today, I don't have to liberalise in any. Suppose I told my daughter that she no longer had the policy space to choose which man she wanted to marry, that I would choose three men for her and the only condition would be that she had to choose one of those three? She would say, 'I don't want any of the three,' and I would say, 'But I've giving you a choice, one out of three! You have 67% choice!' What would she say to me? She would say, 'I don't recognise you as my father any more.' Well, I don't recognise this as GATS any more. GATS has at least 20 provisions, including in the services procedures and guidelines, that provide so many flexibilities to developing countries, and they would

all be eroded under the EC's extreme proposal – a proposal so extreme that the EC is being criticised even by other developed countries whose proposals are not so extreme. We are bringing shame to the entire services negotiations and structure.

For what reason? I can think of only two reasons why the EC would present a proposal so extreme that it is attracting outrage at the WTO. One is that it does not want to liberalise in agriculture, and it has been found out in this: all the European NGOs, from ActionAid to Oxfam have come out with their analysis showing that it is not really liberalising any more than it had already intended under the CAP reform, and that is what it is telling president Chirac anyway, and it has some 'water' – either €6bn or €13bn – to move around. So it is not an ambitious programme; Brazil has rejected it, the developing countries are disappointed, the US is laughing its head off, so the EU says it cannot succeed unless it is allowed these extreme options, even though the developing countries are shouting that this is outrageously extreme. But the EU replies that it is not extreme, it is very balanced, so if a deal cannot be struck it is the developing countries that are to blame. It sounds like the Singapore issues at Cancún all over again.

If this is the reason, it is Machiavellian, it is cynical, and you are putting the whole Doha agenda under threat. You are calling the WTO into disrepute, you are calling the European Union into disrepute. Compare this with what Alan Johnson said a few days ago.

The second reason I can think of is that this is not a cynical game by the EC. They really mean it, they really want extreme liberalisation, either because they really believe it helps developing countries or because it helps European business, and they are really going for it. They may even be willing to give more offers in agriculture to get the services and NAMA in the developing countries. For me, that is even more frightening, if the Commission really is a true believer and not just playing a cynical game. I don't know which is worse – you, as European citizens, can decide for yourselves.

### **Developing countries need a true development package**

I would like to end with this plea. Hong Kong is now threatened. I understand that yesterday they made a decision in the Little Green Room to lower the expectations for Hong Kong. The round itself is threatened. The kind of brinkmanship that we are now seeing on the part of the EC is one of the major factors bringing it to the verge of collapse. Don't do this in the name of development! If you want to do it in the name of EU business, in the name of saving European agriculture, or in the name of European democracy, do it in that name. But please do not do it in the name of development, saying that we are doing it 'for the benefit of developing countries', as you have said, that



we are doing this because it is good for the developing countries. It is not good for the developing countries and it should not be done.

What should be done instead is a true development package in which we incorporate development in agriculture, in NAMA, in services, and retain the flexibilities that are already there, many of which have been removed. A true development package should include special and differential treatment and implementation issues, neither of which the EC representative has mentioned. These are the two core, crosscutting development issues, on which there has been almost no progress at all. Let us progress on SDT and implementation issues first, before we conclude on other things. This was the plan of Doha: if you look at the Doha Ministerial Declaration, you will find that implementation and SDT are put on the agenda before agriculture and the deadlines are before the modalities for agriculture and so on. They have been thrown into the dustbin, and instead we are telling developing countries that we will give them aid-for-trade. Aid-for-trade means that if you are hit hard by trade liberalisation because your firms have closed down or you have lost your preferences, we will give you aid, so that even though you know you are going to be hurt, we are dangling a little carrot for you – if you are hurt we will give you some money. This is not development. It is a little safety-net that will not even materialise. If you look at what happened to the poor net-food-importing countries, for which a mechanism was set up, you will see that it has not worked to date.

In conclusion, there are many development threats in this anti-development round. We call it 'development' as a 'greenwash', so that we are attracted to it. Its substance is profoundly anti-development. Europe is to a large extent to blame for it; Europe can correct it. There are two Europes – the EU that says, 'Don't force liberalisation on developing countries', and one week later another Europe that says, 'We are going to force extreme liberalisation on you because it is good for you.' Citizens of Europe, look at what the two Europes are saying and raise your voice to them. We need to reform not only the WTO, not only developing countries – which do need reform – but we also need to reform the EC's trade directorate.

## APPENDIX:

**ALAN JOHNSON MP,**

UK Secretary of State for Trade and Industry

### THE WALL OF SHAME

**Speech at The Foreign Policy Centre, London  
Thursday 20 October 2005**

*In just seven weeks time, Trade Ministers from the 148 member nations of the WTO gather in Hong Kong. Today I want to talk about the kind of deal I want to see at Hong Kong – one that sweeps away protectionism in the richest countries; whilst protecting the poorest.*

*But, first, I'd like to take the Tardis back to 1785. I've just read William Hague's excellent biography of Pitt the Younger. According to Hague, top of the Prime Ministerial in-tray in 1785 was Ireland. The British had imposed a series of increasingly pernicious protectionist measures: banning Irish ships from carrying exports; forbidding the import of Irish cattle; and levying huge duties on Irish wool.*

*As a result, bilateral relations were under intense pressure. Pitt was determined to resolve it. He set about persuading his parliamentary colleagues to bring these trade barriers down. In a speech to the Commons, he described Ireland's treatment as "a system of cruel and abominable restraint." He called for a "system of equality and fairness" creating a "community of benefits" and a "community of burdens." He described a system of trade with Ireland that would not "aggrandize the one or depress the other."*

*Sadly, the old voices of protectionism boomed louder than Pitt's. His proposals were voted down. And Ireland descended further into abject poverty. The rest, as they say, is history.*

*Hong Kong is a meeting of historic importance. The challenge is real – responding to unprecedented growth in Asia, unprecedented advances in technology; and unprecedented changes in demographics – all issues at the top of my Department's in-tray.*

*The opportunity is real – 148 Trade Ministers gathering together – propelled by Gleneagles; pressured by public opinion. And the prize is real.*

*Trade has immense power to drive development. Just compare the track records of Latin America and East Asia since the 50s. In 1950, East Asia was poorer than Latin America. But whilst East Asia looked outwards and put trade, particularly exports first, Latin America turned inward and put protectionism first. Latin America stagnated – East Asia surged ahead.*

*If we don't do a deal at Hong Kong, we are left with the status quo. And no-one will suffer more from that than developing countries. Boosting Africa's share of world trade by one per cent could deliver seven times as much income as the whole continent currently gets in aid. If we get a good result at Hong Kong, the potential global gains could exceed 200 billion dollars.*

*Today's trade barriers run like a huge wall across the world.*

*On one side of the wall, we have unprecedented change and prosperity; new technologies and products; text messages, emails and DVDs. On the other, a billion people living on less than a dollar a day; millions with AIDS; hundreds of thousands of mothers dying in pregnancy and childbirth every year.*

*On one side, politicians discuss the challenges of our age – globalisation, climate change and energy. On the other, African farmers retreat into isolation: hoping for rain; trying to find the energy to carry water three miles back from the nearest well.*

*On one side, that wall means security. On the other, it is a symbol of opportunity denied and prosperity withheld. It represents an uncrossable barrier between what you aspire to achieve and what you're able to achieve.*

*The history books tell us how these walls grew – sometimes at the behest of vested interests, the same vested interests that stopped Pitt's reforms. Whether it was right or wrong, they were sometimes created to try and foster new industries.*

*In Britain, we used barriers in the Industrial Revolution. America did too. In the 19th Century, President Ulysses Grant responded to British lectures on free trade by saying that, "within 200 years, when America has gotten out of protection all that it can offer, it too will adopt free trade." Europe has protected extensively since the war. Particularly in agriculture. And the South East Asian tigers have too. Japan and South Korea were protectionist in the 60s.*

*Protectionism has been ubiquitous. It's not clear whether these walls actually supported development. But what is clear is that much development did occur behind them.*

*So when some say that all countries have to do is liberalise, tear down barriers and remove regulation to become an overnight economic success – I reject that view.*

*We have seen all too often before how the World Bank/IMF "one size fits all" shock therapy prescription has produced macroeconomic instability, rising unemployment and profound inequality. Societies and economies have been left dislocated.*

*We must proceed with sensitivity. Developing countries must have flexibility to plan development in line with their own national priorities.*

*We can't demand shock treatment liberalisation from them, when we have cherished old fashioned protectionism for ourselves.*

*So, my first priority for Hong Kong is that we must not force liberalisation on developing countries. This is a development round. We must make sure that this is true – not just in name, but in intent and outcome as well.*

*We reject forced liberalisation. By this I mean:*

*We won't demand concessions from least developed countries who often lack capacity to trade and sometimes depend on tariffs for their revenue base. Instead, we must leave it for them to decide the "what, when and how" of their market openings.*

*And for other developing countries we must not prevent them engaging in deals that could offer huge opportunities. Instead, we should pursue policies that require less liberalisation from them than we concede to them; and ensure that they have the flexibility to plan and sequence liberalisation in line with national development plans.*

*Some might say this is fundamentally unbalanced. But we can't demand a balanced settlement to a system that is so fundamentally unbalanced to begin with.*

*To quote another US President – Lyndon Johnson, speaking in a different context: "You do not take a man who, for years, has been hobbled by chains, liberate him, bring him to the starting line of a race, saying 'You are free to compete with all the others,' and still justly believe you have been completely fair."*

*My second priority is for us in the rich world. Now we have developed, now we have grown our wealth, we must cut our trade distorting agricultural subsidies and remove our barriers. In Europe, we spend half our budget on agriculture. This money supports 4% of the European workforce, at the expense of more than half the workforce in many sub-Saharan economies.*

*In Japan, they subsidise their rice to 5 times market value. But it's not five times tastier than Vietnamese rice.*

*The American cotton industries receive \$4 billion a year in subsidies – more than the entire GDP of Benin – a country where the cotton industry accounts for more than three quarters of exports and is, incidentally, in deep crisis.*

*We can't preach liberalisation abroad and practice protectionism at home. We must show a lead. Too many times, the rich world talks big, then delivers small. At Hong Kong, we need more political will and less political will not.*

*The third priority is to commit to abolish developed countries' trade distorting agricultural export support by 2010.*

*Some say we can't put a date to this. But without a date, the developing world will fear that this will drag on and on. And, given the history, who can blame them?*

*So we must make a firm date. The World Bank estimates that developing world farmers stand to gain twelve times more from cutting tariffs than from cutting subsidies.*

*And we must deal with bureaucracy as well. In India an exporter needs 29 documents for clearance, in quadruplicate, with 257 signatures along the way. Customs delays add almost 1% to the price of goods – and average delays in Ethiopia are over a month. That's a 30% increase in costs.*

*Before I close, these are complex issues. It is hard to do them justice in a speech. As Tuesday's meeting in Luxembourg showed, it is going to be hard to ensure a progressive European position at Hong Kong.*

*But it was our 2004 White Paper that raised the hypocrisy of developed countries lecturing poor countries about opening their markets whilst protecting their own. And it is tackling this hypocrisy, above all, which holds the key to success at Hong Kong.*

*So, these are the three areas which I think can form the basis of a deal at Hong Kong. No forced liberalisation on the poorest countries. Big steps to cut trade distorting agricultural subsidies in the developed world. And abolishing all developed countries' trade distorting agricultural export support by 2010.*

*This is an ambitious agenda. But big problems need big solutions.*

*Twenty years ago, no-one would have predicted the fall of the Berlin Wall, the release of Mandela and the accession of countries like Poland to the EU – all in the space of a generation. The tragedy is that, over that same period, we have still failed to address the other problem that was on our television screens and in our living rooms twenty years ago. Despite all the goodwill, all the good intentions, all the good work - poverty, malnutrition and disease are still tearing across the continent of Africa with the same relentless savagery.*

*We must bring this wall of shame crashing down once and for all. If we do this - by demonstrating that when we said this was a development round, we meant it – we will lift millions of the world's poorest out of poverty for good and entrench prosperity and security across the world.*

*It's worth fighting for.*

**NOELEEN HEYZER,**  
Executive Director, UNIFEM

## **Gender equality and aid and trade effectiveness**

I'm so pleased to be invited to join in this discussion on gender and trade. The last time I spoke from this platform was just after women had successfully put the issue of women, peace and security onto the UN Security Council agenda – resulting in the adoption of Resolution 1325. Today I have been asked to talk about the year 2005 and the important anniversaries that have taken place, including Beijing +10, the 2005 World Summit and the fifth anniversary of resolution 1325. I would like to begin by repeating the observation of our chair, that our worlds are so disconnected. I realise how true this is: an hour ago I was addressing a joint UNIFEM–EC meeting on 'Owning Development: Promoting Gender Equality in New Aid Modalities and Partnerships', where speakers have emphasised the continued separation of development from factors that increasingly shape its possibilities, such as the liberalisation of trade and markets and the privatisation of services and resources.

So today I will briefly examine gender equality in the context of the 2005 reviews, and then talk about the framework of the aid effectiveness agenda, and what I think we have to do if we are going to ensure that development is mainstreamed into trade and that trade can deliver on the MDGs.

### **The Beijing +10 agenda**

The primary message coming out of the ten-year review of the Beijing Platform for Action was that governments had created the policy space to promote gender equality and that many had developed gender equality policies, but that they lack the capacity for implementation. In fact, at least 120 countries have gender equality policies and 180 countries have signed the CEDAW, but implementation has lagged everywhere. Just a couple of weeks ago I addressed the Security Council on the implementation of Resolution 1325 with a focus on peacebuilding and the creation of a peacebuilding commission. As world leaders recognised at the 2005 World Summit, peacebuilding cannot be seen in isolation from development, and we must examine the root causes of conflict from the perspective of development. But based on all that, people still feel that we have gone a tremendous way in terms of awareness, legal frameworks, and policy frameworks as well as in the hope that there might be a significant increase in official development assistance (ODA) that will help to bring together a coherent framework on development based on the MDGs.

The World Summit reaffirmed the importance of investing the needed resources to achieve the MDGs. The focus of the MDGs is on reducing poverty, making sure there is adequate education, healthcare, water supply, and trying to reverse the spread of HIV/AIDS. Everywhere there is emphasis that gender equality is central to the achievement of all these goals, but also it is very central to linking human development with human security and with human rights.

### A crisis of development

But where are we, really, in terms of the daily reality on the ground? UNIFEM has worked in about 20 conflict countries and invested in about 100 countries – and what we see, in terms of real development at ground level, is that there is a **crisis of development** in many countries. You can see it every day on television – famines in many countries in Africa, the fact that **HIV/AIDS** is spreading fast, and spreading among women, increasingly with a young, female face. In sub-Saharan Africa women and girls aged 15–24 have infection rates 5–6 times higher than men in the same age group; and the main reason for this is primarily the impact of gender inequality, which, in this case, is fatal.

At the same time, we see that **conflicts** have broken out in terms of group mobilization for violence – and the fact is that often, war provides an economic alternative to employment – I have spoken to many soldiers and militia members who see joining the militia as the only way they can get employment and economic security. We also have to look at who profits from violence and conflict, including networks of **organised crime**. This is part of the current increase in trafficking in women and girls, which is an integral part of the tremendous increase in the illegal labour migration of women, which is very closely linked to the development crisis and factors that shape it, including trade and finance.

With regard to trade and women's employment, it is often said that many women have benefited from employment in globalised industries, especially in the export processing zones. Yes, they have got jobs – but this work is flexible, cheap labour.

In 2005, UNIFEM's flagship publication, *Progress of the World's Women 2005*, sought to contribute to the renewed discussion on poverty elimination by looking at the ways in which women and men earn their livelihoods in today's world, focusing on the issue of informal employment. *Women, Work and Poverty* provided new data to show that in today's global economy poor working women are predominantly concentrated in the informal economy, where they lack job security and safety, have no benefits or labour protections, and where their earnings are too meagre to enable them to pull themselves out of poverty. Moreover, in both the developing and the developed

worlds, most working poor women are not only concentrated in informal employment but in the more precarious forms of informal employment. Somehow we have to make sure that there is investment and skills formation to enable women to find employment higher up the value chain, if we are to move both people and countries out of poverty.

Agriculture is equally important. Many women are farmers, but they are smallholders, or casual farm labourers. It is extremely important for development in the agricultural sector that women are able to inherit land and property. In this particular case, gender inequality also has an impact on the capacity of trade to ensure fair distribution. So, another extremely important need is for investment in the capacity of women to become producers, to become much more than just workers but to own businesses. The trade agenda should focus much more on small businesses.

### Turning aid into development: some key elements

However, when we look at the emerging new aid effectiveness agenda, we see that gender equality is already missing. I would like to put the issue of gender equality and women's lives back on all agendas that deal with development, but the aid effectiveness agenda is an interesting one, because it says that if you want to turn financial and technical assistance into development there are some key things that need to be in place, and I think these are also applicable to trade:

- **National ownership** and the policy space for it, so that the right kinds of development needs will be addressed. There has to be consultation so that national development is not owned only by the elite; i.e. a broad-based consultation of citizens, in the rural areas, in parliaments, and so on;
- **Capacity building**, in particular capacity building to deal with political governance and anti-corruption measures, as well as the issue of procurement and transparency. If we are talking about trade, we need to look at the kind of capacity that needs to be built in at national level;
- **Alignment and harmonization**. What we see at the moment are 'policy cocktails', with different positions for different things, negotiations taking place in different fora without cross-communication. We need to create coherence between aid, trade and poverty reduction;
- **Tracking of results** and mutual **accountability**. This appears in MDG 8, which talks of global partnership for development. It is very important to make private sector realise what is at stake. We have mentioned different worlds, and perhaps the world of the private sector does not understand the consequences of some of the decisions being made or their impact for long-term human security, seen from the perspective

of a fairer and safer world for all. As we know, because of globalisation, our lives are interlinked, and this must be recognised.

Development assistance, to be effective, requires strong, functioning states, and we therefore need to ensure that their economies can function. If the economic structure breaks down, the countries are opened up to criminal activities and networks. At the same time, if we are talking about market access, somehow we have to transform production from a commodity-exporting model to a high added value production model. As you have heard today, countries can produce and produce, but as long as commodity prices are so low, they will never be able to work themselves out of poverty. Like the poor women I mentioned, they will be stuck in the commodity production trap for ever and will never be able to break the cycle of poverty. I think that we have the wisdom, the technology, and the partnerships to break that cycle once and for all; and the cost of not breaking the cycle of poverty is tremendous, because it eventually creates the inequalities and the instabilities that lead to conflict.

In the same vein, as I said earlier, more and more women are affected by HIV/AIDS, which is increasing their caregiving burdens, impacting on their productive capacity and reinforcing the links with poverty and inequality in many countries, especially in Africa. In many of the villages where UNIFEM works, the only people left are the very old and the very young. Many families now consist of grandparents and grandchildren; the whole middle generation – the ones who are looked to for production and income – has disappeared. It is therefore extremely important to ensure the accessibility of effective treatment, along with prevention and care, for both women and men with HIV in all parts of the world, especially rural areas. This urgency was recognised four years ago at Doha, which affirmed the right of all countries to protect public health and promote universal treatment. The cumbersome licensing conditions for the import and export of cheap generics were expected to be worked out in interim negotiations – but this has not happened, and the impasse that has followed, first at Cancún and now Hong Kong, provides a dramatic illustration of the impact of trade agreements on poverty and gender inequality.

Finally, I would like to say that by bringing these agendas together we have a tremendous opportunity to make a difference, so that people do not live in hopelessness but can trust that aid, trade and development will make a difference in all their lives. Trade should be the engine to generate viable local economies, to meet the MDGs; but to realise this capacity, we need to deal with the structures of inequality that limit its benefits.

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**ALEXANDRA WANDEL,**  
Friends of the Earth Europe

### The EU's responsibility: Tackling an array of global challenges

Europe's decision-makers must wake up to the alarming range of global challenges we are facing while governments work out trade rules that threaten to destroy natural resources and human livelihoods at unprecedented rates.

- The planet's **biodiversity** is disappearing fast: an estimated one third of total global species have been lost in the past three decades. People's livelihoods are also at risk: farmers, small-scale fishers, communities, and indigenous peoples face rapid economic, social and cultural impoverishment as their natural resources are depleted. Biodiversity loss is fuelled by corporate-led globalisation and trade liberalisation, which promote large-scale, export-oriented agro-industry, unsustainable commercial logging, fish farms and factories, and huge mining operations.
- Half the **world's forests** have already disappeared, and deforestation progresses rapidly, although 1 billion of the world's poorest people rely on forests to survive and 60 million indigenous people depend on forests for their livelihood. The UN Millennium Ecosystem Assessment states that 'any progress achieved in addressing the MDGs of poverty and hunger eradication, improved health and environmental sustainability is unlikely to be sustained if most of the ecosystem services in which humanity relies continue to be degraded'.<sup>42</sup>
- The world's **fish stocks** are in crisis and the fisheries industry is on the brink of global collapse. The FAO reports that 70% of the world's commercial fish stocks are already overexploited or are fully exploited. Some 34 million people worldwide live from fishing, most living on less than one dollar a day. For poor coastal communities around the world, access to and conservation of fisheries resources is a matter of sheer survival and also of balanced nutrition.
- Changes in weather patterns as a result of **climate change** and pressure on natural resources are likely to make things worse. By 2065 the financial burden of natural disasters and climate change is expected to outstrip total world economic output.<sup>43</sup> Developing countries will be hit the hardest – both because climate change will hurt them more and because they can muster fewer economic reserves to confront the situation.
- Over a billion people still live in **poverty**.

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<sup>42</sup> UN (2005): *Millennium Ecosystem Assessment, Summary for decision makers*

<sup>43</sup> Working Group on Climate Change (2004): *Up in smoke*.

- **Inequalities** in income and other measures of human well-being continue to increase, and it is the poor, and especially poor women, who are disproportionately affected by the degradation of natural ecosystems and will be worst affected by climate change.

Governments have already committed themselves to addressing these issues through international agreements, including the MDGs and MEAs. However, our present trading system promotes the free movement of goods, services and capital as a goal in itself, rather than ensuring that international trade promotes sustainable and equitable development. As a result, we have a system of international commerce that encourages unsustainable resource use and an inequitable distribution of resources and that can conflict directly with local, national and international environmental laws.

Friends of the Earth International believes that a credible and productive system of international trade would have to have as its goal the sustainable use and equitable exchange of the planet's limited resources.

### **On the road to Hong Kong: taking poverty eradication and nature's wealth seriously**

In light of the upcoming WTO Ministerial Conference, Friends of the Earth Europe is seriously concerned that the EU's negotiating position in the WTO could aggravate the existing ecological and poverty crisis. We believe that the EU is supporting negotiations that turn the natural environment into a commodity for sale and seriously threaten efforts to tackle poverty. A major rethink is needed, and we need forward-looking trade policy that will address the sustainable use of resources. It should be the EU's responsibility to tackle these questions head on and ensure a better future for all.

, studies predict that the WTO negotiations in Geneva and Hong Kong are steering towards agreements that can threaten environmental sustainability, development, human rights, jobs and gender equality. This will be felt not only in the developing world but also here in Europe. Yet the European Union is the leading force in pushing for greater opening of world markets and limiting policy space, especially in industrial goods (NAMA), services (GATS) and trade facilitation. Shockingly, natural resources are also promoted for trade on a world market under the logic of corporate profit and competition over prices. All publicly owned natural resources are on the negotiating table: forestry, fisheries, agriculture, biodiversity, water and energy. Local communities in the developing world, predominantly women who farm and fish on a small scale or indigenous peoples who have created sustainable societies in harmony with nature over centuries, will lose out the most. Local economies will be destroyed.

At the same time, further WTO rules challenge the environmental and social protection established by far more

competent and adequate institutions. The protection of our peoples and our planet must not be subjected to the logic of economic profit.

### **Towards a just and sustainable trading system**

FoEE believes that European decision-makers need to devise a twofold strategy in order to achieve a just, sustainable and democratic trading system.

**First**, we need to ensure that the WTO cannot encroach upon areas of international policy in which it has no competence and where it threatens to undermine poverty eradication, the social fabric of life and the right to a healthy environment. The approach of no *a priori* exclusion, which is currently pursued by the EU, needs to be challenged. Critical environmentally and socially sensitive sectors need to be excluded from the negotiations. It is vital that there is evaluation of the impact of existing trade rules on sustainable development, a fundamental revision of the regulations governing world trade in order to promote sustainability, and the cessation of any proposals to expand the scope and power of the WTO.

**Second**, we need to develop a system of international trade that promotes environmental protection, sustainable livelihoods, equity and cultural diversity amongst all nations and people. A new and sustainable framework for the regulation of trade for the twenty-first century needs to be based on the principles of democracy, equity, reduced consumption, cooperation, special and differential treatment, and precaution.

### **Key steps needed on the road to Hong Kong**

It is urgent to move away from the EU corporate trade agenda and to put people and the environment first. In so doing the EU should not push for unfair trade-offs between agriculture on the one hand and services and industrial goods on the other.

The EU must stop forcing liberalisation that erodes the necessary policy space for developing countries' governments to determine their own trade policies in accordance with their social, development, environmental and employment priorities.

The EU should take the following nine steps:

#### **1 Halt the GATS negotiations, undertake a meaningful independent assessment of the potential environmental and developmental impacts**

Under pressure from corporate lobby groups, the EU has been a key driver of the GATS negotiations, including in the field of environmental, social and gender-sensitive sectors such as water, waste, energy, tourism and transport. In its latest offer to the WTO, the EU demands that developing countries liberalise almost 60% of their service

sectors, requesting mandatory participation in sectoral initiatives. The EU has also taken the lead in expanding the obligations of the services agreement. The expansion of service operations and commitments will have substantive environmental and social impacts. Governments will be increasingly constrained in their efforts to protect the natural world from harmful service operations by big companies.

The EU must:

- Halt the GATS negotiations in order to allow for a comprehensive and meaningful assessment of the actual environmental, developmental, social and gender impacts thus far and the potential future impacts of services liberalisation;
- Withdraw its benchmark proposal and any other proposal that would introduce compulsory liberalisation; Exclude essential services (e.g. water, energy, education, health), whose access is important for human development and women's empowerment, from the negotiations.
- Reject any rules and changes in domestic regulation that challenge or in any way undermine legitimate environmental laws and regulations, including those relating to the conservation of exhaustible natural resources;
- Re-examine and reverse any commitments already made under the provisions of the GATS that are in fact transnational investment disciplines (Mode 3 – 'commercial presence') and explicitly reject any further such commitments now or in the future;
- Promote fair and sustainable economies by ensuring that all trade rules, at whatever level – international, regional or bilateral – are designed so that they do not allow trade negotiators or services negotiations to challenge or undermine the development rights of developing countries and the environmental rights of all people and communities worldwide.

## **2 Halt the NAMA negotiations, undertake a meaningful independent assessment of the potential environmental and developmental impacts**

In NAMA, all natural resources are effectively currently on the table for either partial or complete liberalisation. Other trade restrictions (known as non-tariff barriers or NTBs, including measures designed to protect the environment and promote social welfare, and often used as protective measures) are also at risk. For example, the certification of wood products, restrictions on trade in chemicals, the tracing and labelling of fish and fish products, and other issues have already been listed for further consideration by the WTO.

Developing countries also face the prospect of deindustrialisation and loss of significant customs revenue, as industrialised countries aggressively negotiate towards

opening developing-country markets. They also risk losing the use of trade measures as affordable tools for protecting their environment and promoting domestic economic development. This could lock many developing countries into their existing commodity dependence and discourage diversification, benefiting processing industries in importing countries to the detriment of both the environment and potential processors in countries confined to exporting the raw materials.

Given these serious concerns, it is imperative that the EU takes the following actions:

- Halt the NAMA negotiations and agree to a full, independent review of the potential environmental and developmental impacts of NAMA.
- Protect governments' policy space, including through the use of tariffs and non-tariff barriers genuinely intended to develop fair and sustainable economies and protect their environment, including through the sustainable management of natural resources.
- Promote resource conservation by stopping further liberalisation of natural resources, such as forest, fish, oil, gas and mining products in the WTO and elsewhere.

## **3 Promote food security, food sovereignty and non-intensive agriculture, not multinational agroindustry, genetically modified crops and patents on life**

We need the EU to help develop a trading system that does not favour large-scale, export-oriented, fossil-fuel- and pesticide-dependent farming and multinational agroindustry but rather meets the food security needs of people and the environment around the world.

In the short term and as a first step, the EU should:

- Set an end date for export subsidies and all domestic subsidies that lead to dumping, without using this as a bargaining tool for further liberalisation of developing-country economies;
- Support diverse sustainable agricultural practices through the use of targeted domestic subsidies, controls and other incentives for local consumption that reduce and reverse the loss of biodiversity;
- Recognise countries' rights to support food security by imposing import controls, including tariffs in food and agriculture, on agricultural products which are harmful to the environment and/or human health.

Ultimately, the WTO should not apply to food and agriculture. We demand the establishment of a world commission on trade and agriculture, which should review the impact of existing agreements on sustainable agriculture and explore modalities of an internationally legally binding instrument in the field of sustainable agriculture and food sovereignty.

#### 4 Provide access to medicines and prevent biopiracy

The TRIPS agreement should be amended to provide a definitive, user-friendly and effective solution to the problem of access to medicines. It must be rebalanced so that it respects development and biodiversity goals and is in line with the Convention on Biological Diversity and its Protocols and the FAO International Treaty on Plant Genetic Resources for Food and Agriculture.

Governments should ensure the protection of farmers', indigenous peoples' and local communities' rights over plant genetic resources and associated knowledge. This includes farmers' rights to conserve, exchange and reproduce seeds, and a ban on patents and intellectual property rights for all life forms. Traditional and indigenous knowledge must be protected against biopiracy.

#### 5 Strengthen international environmental governance vs. WTO rules

It is critical to guarantee that legislation designed to protect our environment and ensure sustainable development cannot be overruled by trade experts or international trade panels working in isolation from other concerns.

Negotiations on MEAs and trade rules make international environmental governance subject to economic and trade considerations and allow the WTO to encroach upon areas of international policy in which it has no competence. In addition, the negotiations may eventually result in placing limits on the extent to which MEA rules may be implemented by individual governments.

Governments must state that MEAs take precedence over trade rules and grant UNEP and the secretariats of MEAs with trade-related provisions, objectives, or obligations permanent observer status in all relevant bodies of the WTO.

They should not mandate the WTO to:

- Set rules or criteria that might in any way define or restrict the use or national implementation of any trade measures agreed to in MEAs;
- Set rules or criteria for national implementation of MEAs resulting in a limitation of governments' rights to regulate in favour of the environment, such as through least trade restrictiveness tests;
- Define a set of MEAs, or a set of trade measures, that are WTO-consistent and thereby make others WTO-inconsistent, regardless of their merits.

Ultimately, it should fall to the UN to examine the WTO–MEA relationship, as part of a coherent approach to addressing global challenges. The International Court of Justice and the UN International Law Commission are the most suitable fora for clarifying this relationship because

of their legal and environmental expertise, the transparency of their process and their independence from trade interests.

Trade rules should not override laws designed to protect local communities, the environment and public health. In particular, countries need to retain the ability to protect farming and rural communities, secure food supplies, control inward investment, and insist that imports are properly labelled. FOEI recommends that governments give significant deference to national and local environmental and health laws.

Additionally, governments should take steps to

- Strengthen international environmental governance by upgrading UNEP to a UN Environment Organisation, reinforcing MEAs' compliance and dispute settlement mechanism in order to establish a better balance between the WTO and MEAs;
- Consider potential and actual conflict between the two governance systems in the UN.

#### 6 Review WTO rules and decisions to ensure they are contributing to sustainable development and addressing the global challenges outlined above

As outlined in paragraph 51 of the Doha Ministerial Declaration, the Committee on Trade and Development and the Committee on Trade and Environment shall each act as a forum to 'identify and debate developmental and environmental aspects of the negotiations, in order to help achieve the objective of having sustainable development appropriately reflected'.

In order to do so, we request a review of WTO decisions and rules to determine whether they support and promote the development of sustainable societies and to ensure that they are compatible with existing UN treaties on the environment and human rights in general. Such an assessment needs to be carried out before the launch of any trade negotiations. Governments should also undertake national independent SIAs. The EU should continue to provide capacity building and technical assistance to them. The WTO must also consider environmental and social impacts in every set of negotiations.

Within the EU, the European Commission must ensure the revision of the methodology for SIAs in order to widen its analytical scope and remove its pro-liberalisation bias. The EU must also ensure that SIAs are carried out prior to and during any negotiations and that their findings are fully acknowledged and integrated into the negotiating mandate. Trade Ministers should be regularly briefed on the results of SIAs in order to promote the overall coherence of the EU's policy for sustainable development.



## 7 Develop a democratic and transparent trading system

EU trade policy-making, including the internal processes of the 133 Committee, is opaque, non-transparent, and deeply undemocratic. Sustainable development should become the central objective of all sectors and policies. The EU must ensure that trade policy-making undertaken as a result of its WTO obligations must follow an open, transparent, and genuinely publicly participatory process that encourages the participation of domestic civil society and community and peoples' organisations. Vastly increased scrutiny of all international trade negotiations by parliamentarians from the European Parliament and national parliaments is urgently needed. Input from the private sector should be decreased and input from civil society groups increased in the formulation of EU policies.

Since the EU has recognised that sustainable development should be 'the central objective of all sectors and policies',<sup>44</sup> it is essential that:

- Relevant departments in DGs other than Trade have the proper capacity to contribute to the shaping of EU trade policy. We urge MEPs to increase the budget and staff of these departments to allow for this;
- The Council Working Groups on Development and Environment should formally extend their purview to contribute to shaping EU trade policy;
- The European Parliament should be more involved in trade policy decision-making. This cannot be limited to nominal 'consent' by the Parliament at the end of a round of trade negotiations, but should also include provisions for ex ante consultation on negotiating proposals, the mandate of the Commissioner, and the formal use of European Parliamentary debates on trade negotiations leading to Parliamentary resolutions to be used as guidelines during trade negotiations;
- In the WTO, developing countries need to be able to participate fully in the conduct of the negotiations. In addition to additional technical assistance and capacity building to developing countries, mini ministerial conferences and green-room sessions should be abandoned.

## 8 Curb the power of corporations

At the same time, we need more far-reaching changes. Corporations exert unacceptable influence over governments and intergovernmental processes. This trend is eroding democracy and needs to be reversed.

Corporations – especially transnationals – must be made fully and fairly accountable to local communities and elected governments, to ensure that companies reduce resource use, lower pollution levels, and improve labour, environmental and health and safety standards.

Europe should take the lead in developing rules to regu-

late multinational business, e.g. by introducing effective international legislation outside the WTO to set high minimum standards for corporate activities, imposing legal requirements concerning community consultation and redress and personal legal liability on companies and their directors respectively and preventing the formation and consolidation of monopolies, oligopolies and cartels. This should be negotiated within the United Nations building on the commitment of the World Summit on Sustainable Development.

## 9 Develop sustainable economies

At the beginning of the twenty-first century, the world needs trade rules that reflect society's current values and needs. For these reasons, it is vital that the EU agrees to review and rectify both the current trade system and the economic context within which that system operates. It is time to develop a system of international trade that promotes self-determination, environmental protection, sustainable livelihoods, equity and cultural diversity amongst all nations and people. A new and sustainable framework for the regulation of trade for the twenty-first century needs to be based on the principles of democracy, equity, reduced consumption and precaution.

## DISCUSSION

The discussion following the presentations took the form not of a general discussion from the floor but a continued dialogue between the speakers in which Ms Nikolay responded to the other presenters and they responded to her in turn. However, little rapprochement was achieved between the views of the EC representatives and those of the civil society organisations present, as the following examples show:

### Differentiation between developing countries:

*Renate Nikolay* described this as the greatest challenge for this round, noting that there are big differences between developing countries, and even between different sectors in the same country, with regard to competitive advantage, and using the example of India, which has both a large, poor rural sector and a advanced services sector with aggressive interests in the GATS negotiations. She felt that in this respect the EU was not applying a 'one-size-fits-all' approach but had considerable flexibility built into its proposals. However, *Martin Khor* pointed out that, legally, the Doha Declaration did not in fact have the differentiation of developing countries in its mandate, and

<sup>44</sup> *Communication from the Commission: A Sustainable Europe for a Better World: A European Union Strategy for Sustainable Development; COM(2001)264 final, p. 6*

most developing countries see it as disruptive and divisive of the EU to put emphasis on differentiation in the negotiations. Highlighting different degrees of development within individual developing countries was misleading, he suggested: we talk of India, China, Brazil, South Africa as advanced developing countries, but they are not really more advanced, just bigger. Because parts of India look rich, it is seen as a good market for EU goods. But is the appearance of wealth illusory? Most Indian states are as poor as any LDC. In China the food deficit is already growing, forcing the Chinese to export manufactured goods at breakneck speed to pay for their food in the future, while Brazil is crippled by debt and its wealth distribution drastically unequal.

#### **Agriculture:**

There had been several reminders throughout the day that the DDA – and development itself – are not just about agriculture. However, Ms Nikolay said frankly that although the round has to deliver on development, the EU is also in a legitimate position to try to realise potential gains for itself, and agriculture is a valuable negotiating chip for it. For the EC, the CAP reform, when it began in 2003, aimed to get rid of trade-distorting measures, and this fits in with the need identified by the multilateral negotiations to liberalise trade further.

Mr Khor responded that the developing countries would like to be sure that the CAP reform would decrease subsidy in total and decrease production over time – not implying that the EU should not grow food, but that liberalisation should not be so extreme that developing countries cannot grow their own food. He emphasised that European subsidies should go to poor farmers, not rich ones, for real food, grown organically, and with some market access for developing countries to export to Europe as well; while at the same time the developing countries should not be forced into a destructive liberalisation of their agriculture or services.

#### **Sustainable development:**

The EC has been carrying out SIAs for five years but seems to be moving very slowly towards using the conclusions drawn from them in negotiation documents. The conclusions of the studies are good, but they are not

reflected in the negotiating positions, producing an information vacuum around development. *Alexandra Wandel* asked the EU to make a serious reality check as regards poverty, the environment and the sustainable management of natural resources.

#### **Whose rules?**

Ms Nikolay expressed her conviction that trade liberalisation can contribute to development and can increase the welfare of nations, if it is properly done. She believed also that rules are not necessarily anti-development but in fact had a useful role to play in securing development. But, as *Christa Wichterich* asked, in whose interests are the WTO rules and the DDA? Those of the WTO, the EU, or the developing countries? It is hard to see at present that they can be in the interests of all. What are the reference points – the freedom of businesses to export, or the rights of small farmers and traders to a decent livelihood? Is the level playing field a myth? Is it possible for the EU to defend its own interests without harming the interests of poor people and poor countries?

Mr Khor also acknowledged that trade liberalisation is not intrinsically bad. His own country, Malaysia, had liberalised successfully. But if a poor country is forced to liberalise too rapidly, in the wrong conditions or without meaningful support, liberalisation will not help it. In this respect Ms Wichterich reminded participants that development and development aid should not have to be adjusted to serve trade liberalisation, but rather the reverse.

The hearing ended with the key question: Without radical transformation, can trade negotiations and trade-related organisations ever really support an agenda for equitable, sustainable development? Civil society participants called for such radical changes to be made in both the WTO and the EU: The WTO needs to be brought under the UN umbrella and framed by UN treaties on human and gender rights and ILO Conventions. It needs to clarify its relationship to the multilateral environmental agreements. The EU, and especially the Commission, were asked to rethink their negotiating positions from the basis of cooperation, democracy, and equity.

# ANALYSIS OF THE OUTCOME OF THE HONG KONG MINISTERIAL

## THE WTO'S HONG KONG DECLARATION: AN ANALYSIS OF KEY IMPACTS ON THE GLOBAL ENVIRONMENT AND LIVELIHOODS

by *Friends of the Earth Europe* <sup>45</sup>

Although a face-saving deal was reached in Hong Kong on 18 December 2005, the WTO and the global trade system remain in crisis. The Hong Kong agreement contains proposals that will further threaten the global environment and the livelihoods of the world's poorest people. The EU, the US administration and their allies have ignored the demands of the thousands of men and women – peasant farmers, fisherfolk, students and environmentalists – protesting outside the WTO's 6th Ministerial Conference in Hong Kong.

The Hong Kong agreement contains proposals to open markets in the farming and natural resource sectors, including forests, fisheries and minerals, will benefit the world's largest corporations but could have a devastating impact on millions of the world's poorest people, who rely on access to natural resources for their livelihoods, food and medicine.

The most worrying decisions taken at the Ministerial Conference include the following:

### Non-Agricultural Market Access (NAMA)

The WTO's current trade negotiations on NAMA have been reaffirmed. Under pressure from the EU and its allies, governments have agreed to an extreme form of liberalisation by introducing a 'Swiss formula' for tariff reductions on all manufactured goods and natural resources.<sup>46</sup> Developing countries risk having to cut their tariffs drastically. This could result in massive job losses in developing countries, with local enterprises being driven out of business by Western transnational corporations. It could also lead to losses in governments' revenues including in specific sectors of critical importance to women, such as education and health.

The negotiations still include proposals from various countries to completely liberalise markets in forest products, fish and fish products, gems and precious metals, primary aluminium and oil, with no mention of the potential and possibly widespread environmental and social impacts that such liberalisation could have.

A specific reference to sectoral negotiations has been reinserted in the final declaration, presumably by the USA and Canada, who had previously objected to the fact that this text was missing. However, the text does direct governments to determine whether sectoral negotiations have sufficient support to continue, thus opening a door for the removal of these natural resource sectors from the sectoral aspect of the NAMA negotiations (meaning that they would not have to be completely liberalised). The EU stated before Hong Kong that it would not support sector-by-sector negotiations on forestry, fisheries and minerals but that it was not actually opposing them. Its own SIA on forestry had indicated negative impacts in that sector (see below).

Negotiations to 'reduce or eliminate' environmental and health standards (known as non-tariff barriers, NTBs, in the WTO) will also be intensified following a request for specific negotiating proposals to be tabled as soon as possible. Current notifications include a breathtaking array of challenges to labelling and certification requirements, national standards and restrictions, export restrictions, restrictions on foreign investment and measures to promote local economic development. The sectors covered include mineral products, automobiles, chemicals, electronics, environmental goods, fertilisers, fish and fish products, food, footwear, forest/wood products, mineral products and petroleum oils, shrimp, and textiles and leather goods.

Following Hong Kong there will be a period of intense negotiations at the WTO headquarters in Geneva to agree on the details of the negotiations. Governments have committed themselves to establishing modalities (the framework for negotiations) no later than 30 April 2006 and submitting comprehensive draft schedules based on these modalities no later than 31 July 2006.

<sup>45</sup> This analysis has been prepared by Ronnie Hall and Alexandra Wandel.

<sup>46</sup> Paragraphs 13–14 of the Hong Kong Ministerial Declaration state: '(13) ...We welcome the progress made by the Negotiating Group on Market Access since 2004 and recorded therein. (14) We adopt a Swiss Formula with coefficients at levels which shall inter alia: Reduce or as appropriate eliminate tariffs, including the reduction or elimination of tariff peaks, high tariffs and tariff escalation, in particular on products of export interest to developing countries; and take fully into account the special needs and interests of developing countries, including through less than full reciprocity in reduction commitments.'

## Fisheries

Fisheries remains a proposed sectoral negotiation under NAMA, supported by countries including New Zealand, Norway and Iceland. The fact that increased liberalisation in this sector could further damage already seriously depleted wild fish stocks is not taken into account. The world's supply of fish is nearly exhausted: over 60% of wild fish stocks have been fully exploited, overexploited, or depleted, and a further 10% are recovering.<sup>47</sup>

Nearly 40 million people rely on artisanal fishing for their food and livelihoods worldwide, but the potential impact on them of greater liberalisation in fisheries is also ignored by most countries. However, Japan and South Korea have opposed – and the EU now does not support – the fisheries sectoral, meaning that it could be removed from negotiations since it does not enjoy sufficient support.

However, the agreed intensification of negotiations on non-tariff barriers could also have a significant negative impact on measures taken to conserve fish stocks. A number of countries, including Norway, have already objected to requirements to provide information about the provenance of fish, for example. Similarly, the Philippines has challenged trade restrictions required by CITES, in relation to freshwater fish, saltwater fish and fish for aquaria. Additionally, Argentina has notified regulations establishing maximum contents of heavy metals in certain fish products.

## Forests and biodiversity

Forestry also remains a proposed sectoral negotiation, supported by countries including the USA, Canada and New Zealand. Yet the impacts on biodiversity and forest peoples have not been considered, even though the European Commission's recently published SIA for the forest sector says that 'in biodiversity hotspot countries, such as Brazil, Indonesia, Congo Basin countries, and Papua New Guinea, possible negative impacts on biodiversity can be irreversible'.<sup>48</sup>

Furthermore, in relation to the forest sector in developing countries protected by high tariffs, there could be 'considerable environmental and social costs due to downsizing of the industrial capacity and closing some industries entirely'.<sup>49</sup> According to the FAO, 'more than 350 million people living in or next to dense forests rely on them for subsistence or income'. Sixty million indigenous people are almost wholly dependent on forests. A further 13 million people are employed in the formal forestry sector.

Again, however, Japan opposes the forestry sectoral and the EU is not supporting it. It could therefore be removed from the negotiations in the near future.

Yet again, the agreement at Hong Kong that there could be more notifications on NTBs means that challenges already notified by countries, relating to wood and wood products, could proceed. These are likely to be based on notifications already listed by Australia, Egypt, Japan, Malaysia, New Zealand, the Philippines and the USA, covering testing, certification, standards and regulations, and labelling. In contrast to their position on tariff liberalisation in this sector, Japan and the EU have also challenged export restrictions that countries apply to their forest product exports, which may be in place to protect biodiversity or promote domestic economic development in the exporting countries.

Services negotiations also include the liberalisation of biodiversity management, with potentially severe impacts on forest-dwelling and other indigenous peoples who may be removed from their traditional lands and prevented from accessing and managing their natural resources by private companies who are increasingly tending to manage protected areas.

## Biodiversity and TRIPS

In addition, at Hong Kong, rich countries' governments rejected attempts by India, Bolivia, Colombia, Ecuador, Peru and other developing countries to begin to recognise the rights of local communities and indigenous peoples over their own traditional knowledge and genetic resources. The TRIPS agreement obliges the 149 WTO member countries to protect intellectual property rights (IPRs) relating to plant varieties and microbiological processes, using patents and similar IPR systems. The agreement undermines the rights of farmers, indigenous peoples and communities by allowing large biotechnology companies to 'buy' and patent the seeds, crops, medicines and traditional knowledge of indigenous peoples and local communities. TRIPS furthers biopiracy, the privatisation and unauthorised use of biological resources by entities such as corporations. Women are particularly affected, as they are often responsible for collecting food and medicinal resources for their families and play a major role in traditional seed-saving systems.

## Agriculture

The crux of the Hong Kong 'deal' is agriculture, with a date for eliminating export subsidies having been set at 2013

<sup>47</sup> Food and Agriculture Organization, Fisheries Department (2004), *The State of World Fisheries and Aquaculture*, Rome.

<sup>48</sup> Katila, M., and Simula, M. (2005), *Sustainability Impact Assessment of proposed WTO negotiations: Final report for the forest sector study, Executive Summary*, Helsinki, Savfor Indufor Oy in cooperation with the Impact Assessment Research Centre, the Institute for Development Policies and Management University of Manchester, UK.

<sup>49</sup> Katila and Simula, *op. cit.*

and developing countries gaining an exception for special products (which they may 'self-designate') and safeguard measures in case of import surges. But the date for the elimination of export subsidies is far in the future. Furthermore, the text of the declaration does nothing to advance the setting of limits on the bulk of subsidies, which are domestic support subsidies that will allow the continued dumping of EU and US products on developing countries. In addition, developing countries could be forced to open their agricultural markets as a result of the tariff cuts they will be required to make.

Intensive agricultural practices and liberalised international trade are leading to social disruption, environmental damage and even hunger, particularly in developing countries. Small-scale farmers are particularly vulnerable to market-opening pressures and are often forced from their land when it is converted to plantations or planted with crops for export.

### **Services: energy, water, waste, transport and tourism**

After huge controversy about whether services liberalisation should become mandatory or not, developing countries have finally accepted a deal which could still eventually force them into liberalising a range of environmentally sensitive sectors. Strong text regarding plurilateral negotiations remains in place, including language that requires that countries 'shall consider' requests. This could mean that countries must at least agree to participate in negotiations in particular sectors even if they do not want to liberalise them. Therefore, the negotiations are predicted to proceed along sectoral lines. The text retains a reference to a Chair's Report that identifies specific sectors for negotiations, including energy services, 'environmental services' (water and waste disposal), transport services, and tourism.

'Energy services' includes the full range of energy and fossil fuel operations – exploration, development, extraction, production, generation, transportation, transmission, distribution and consumption. The environmental, social and gender impacts are wide-ranging and well-known. The local environmental impacts of oil exploration and extraction and pipeline construction and transport include deforestation, toxic contamination, and frequent impacts on gender and human rights and the rights of indigenous communities. At a broader level these operations make major contributions to climate change. The expansion of energy service operations will worsen these impacts, and GATS rules will make it increasingly difficult to adopt and enforce environmental and natural resource protection measures. For example, GATS disciplines could restrict governments' ability to place new quantitative restrictions on fossil fuel exploration and drilling. Negotiations on domestic regulations, which will intensify following Hong Kong, will also require governments to ensure that their

regulations for energy are 'no more burdensome than necessary' according to WTO panels.

'Environmental services', as currently defined in GATS, is essentially a misnomer used to describe sizeable industries involved in waste disposal and treatment. The current classification includes sewage services, refuse disposal services, sanitation and other services, and other environmental services. The core services in this sector are thus so-called 'end of pipe' disposal services, not environmental services directed towards prevention or remediation of environmental damage.

Water distribution and wastewater treatment fall under the 'environmental services' classification. Access to water is a fundamental human right. However, some WTO members insist on turning water into a commodity and an industrial 'service' sector, granting transnational corporations the right to manage water exploitation and distribution. Water liberalisation has been bad news in recent years for many people and communities, from Cochabamba, Bolivia, where water privatisation brought an immediate 68% price rise, to Manila, Philippines, where prices increased 500% over a six-year period.<sup>50</sup>

The EU already asked more than 50 countries in the run-up to Hong Kong to open up access to their water delivery services, a move which would promote European water corporations at the expense of the poor. New deadlines were set at Hong Kong including deadlines for making new requests; it remains to be seen if the EU will finally remove water from GATS, as demanded by many Northern and Southern NGOs.

The deadlines agreed at Hong Kong are (1) revised requests by 28 February 2006; (2) first offers by 31 July; (3) revised offers by 31 October. This could mean that countries will rush into making commitments before having a full picture of their environmental, social, gender and employment implications.

### **'Environmental' negotiations**

The text of the declaration moves forward problematic negotiations concerning the relationship of the WTO to multilateral environmental agreements. Many environmental groups have opposed these negotiations. The current WTO negotiations have not only failed to provide any further institutional and legal clarification, but also threaten to set rules and criteria for the use of trade measures in both current and future MEAs. This could hamper the ability of governments to implement MEAs and regulate trade in favour of the environment. It is highly unlikely that the negotiations in the WTO's Committee on Trade and Environment will lead to a 'safety net' for MEAs.

<sup>50</sup> *World Development Movement (2005), Dirty Aid, Dirty Water.*

The strengthened text on the negotiation concerning MEAs and their relationship to trade rules could make it even less likely that the negotiation might be moved to the UN, as demanded by Friends of the Earth and other environmental organisations.<sup>51</sup>

Following pressure by the EU, the text also includes references to intensified negotiations on 'environmental goods', although no specific deadline has been set. Many environmental NGOs are critical of these negotiations, since at present the definition of what an 'environmental good' is very unclear. Lists produced by WTO members could for example include nuclear power plants and waste incinerators. In contrast, goods that could be defined as 'environmentally friendly' (such as recycled paper, refrigerators without CFCs) have not been very prominent in discussions so far. There are two main reasons for this. First, the WTO demands non-discrimination between so-called 'like products' (basically goods with the same end characteristics). Hence it would not be possible to discriminate between two similar products just because of their environmental 'friendliness'. Second, tariffs are usually defined on the basis of the 'harmonised system', an international system of customs classification which was not designed to deal with environmental considerations. In short, the WTO is the wrong forum for defining a genuine list of 'environmental goods'.

Furthermore, environmental technology (e.g. solar panels and wind turbines) is mostly produced in industrialised countries. A tariff reduction could thus reduce developing countries' chances of developing their own environmental industries.

### Development assistance

Governments meeting in Hong Kong, supposedly to offer the poorest countries a 'development' deal, have repackaged old aid, disguising it as new money for developing countries. Furthermore, promises of loans for infrastructure projects will increase debt burdens and open developing countries to further corporate exploitation. It is also ironic that some of the poorest countries in the world are still being put under extreme pressure to open up their markets in the name of development, even when they have protested that it could lead to deindustrialisation and increased poverty and unemployment. On duty-free/quota-free market access (that is completely free market access for the poorest countries), the USA will be allowed to continue to protect 420 product tariff lines.<sup>52</sup>

<sup>51</sup> *Adelphi Consult, Friends of the Earth Europe and Greenpeace (2005), Is the WTO the only way? Safeguarding multilateral agreements from international trade rules and settling trade and environment disputes outside the WTO.*

<sup>52</sup> *See Ministerial Declaration, Annex F, para 36 (a) (ii).*

<sup>53</sup> *This analysis has been prepared by Maeve Taylor and Christa Wichterich.*

<sup>54</sup> *For example, in the Commission on the Status of Women, CEDAW and even UNCTAD.*

## A GENDER PERSPECTIVE ON THE 6TH WTO MINISTERIAL CONFERENCE AT HONG KONG

by WIDE<sup>53</sup>

*'This is not a development round, it is a development round up! The US, EU and their allies have corralled developing countries and forced open their markets in services, industrial goods, and agriculture. Millions of women, workers, farmers, and indigenous groups will lose their livelihoods.'*

*Naty Bernardino, IGTN Asia, 18 December 2005*

The events during the 6th Ministerial Conference of the WTO at Hong Kong were marked by a distinct inside–outside dichotomy. Inside the oversized Hong Kong Convention Centre, government negotiations were driven by the market rationale of agreeing a deal and circled around technical details of economic formulae and the language of progressive trade liberalisation. 'Moving the process forward' – meaning the adoption of a multilateral declaration which would avoid a repetition of the failure of the Cancún Ministerial in 2003 – became an end in itself. This inner world of the negotiations is very much a closed-in world apart, yet at the same time it is decisive for the economic reality of the outside world. Away from the negotiations, in the streets and open spaces of Hong Kong, the experiences of farmers, workers and migrant women unfolded in marches, protests, tribunals and public meetings, compelled by their actual needs for survival and development and their claims for livelihood rights and fair trade rules.

### Gender on the WTO agenda

In the recent past, the gender–trade nexus increasingly has begun to be acknowledged by political and international institutions, as well as academia. For the first time, the European Commission delegation to Hong Kong included, alongside 'social', 'development' and 'environment' slots, a 'gender' slot, which WIDE took on.

However, unlike feminist engagement in UN fora,<sup>54</sup> where a gender perspective is integral to the processes, gender is excluded from the WTO frame of reference. The talks in Hong Kong confirmed that the WTO is explicitly and solely concerned with barriers to, and rules for, trade liberalisation, and questions of social justice and the environment are defined to be outside of the economy. The WTO argues that it has an institutionalised division of labour with other multilateral institutions. The human rights paradigm and the respected UN covenants on workers' rights, migrants' rights and the environment remain as much excluded from the WTO agenda as UN conventions on women's rights. Once again at Hong Kong, no references to the ILO or ILO conventions, for example, were included

in the agreements, and no space was provided in the texts for social and gender justice arguments. Feminist analysis and other challenges to neoliberalism, by definition, represent outsider positions in the WTO, and there is a kind of political screen around the WTO negotiations which feminist analyses of gender and trade cannot pass through to reach the 'inside'.

The gender adviser in the EU had the same experience. Being on the 'inside' was in many ways useful for future feminist trade advocacy and lobbying: it sharpened the profile of a gender approach vis-à-vis other members of the delegation and other NGOs, it helped in building contacts and in getting a sense of the EC's thinking, strategies and tactics as well as of the lobby positions and activities of the business community. Yet her position did not enable her, at Hong Kong itself, actually to influence the trade policy of the EC; it was mainly about providing an information link and an investment in WIDE's longer-term advocacy work on trade and gender issues.

WIDE, in close cooperation with IGTN, acted as trade policy advocate raising issues of social justice, sustainable development and poverty eradication, while at the same time highlighting a gender perspective on the trade agreements. WIDE and the IGTN have the common goal of striving to transform the free trade agenda in the direction of sustainable and just paths of development. They view the WTO agenda as a fundamentally unequal and unfair system, which cannot be substantially changed by a greater participation or improved competitiveness of women in a more and more liberalised trade regime. WIDE strives to open the trade agenda to economic alternatives and heterodox policy options and rejects one-size-fits-all-liberalisation recipes. It challenges the rapid and aggressive liberalisation strategy promoted in particular by the EU and in the interests of Europe-based TNCs. This coercive strategy constrains the political options and decision-making space available to the governments of economically weak countries in the South, and fails to take into consideration the needs of the most vulnerable groups in societies, among them many small-scale women producers, petty traders, care workers and migrants.

At the very few side events in Hong Kong's Convention Centre which referred to the gender-trade nexus, advocates of trade liberalisation contended that market opening and WTO agreements create the optimal preconditions and mechanisms to generate gender equality and growth, making the assumption that growth will open opportunities for better education, more jobs and income, more credit and entrepreneurship for women. While feminists analyse the adverse impact of trade liberalisation on women's livelihoods, proponents of liberalisation focus on success stories of career women and stress the differences of interests among women in all societies – for instance, the growing differences between countries of the South is highlighted by the North. This argument aims at distracting attention from the unjust and polarising

social effects of the neoliberal market model, at dividing common positions, and at preventing the emergence of united interest groups.

WTO director general Pascal Lamy had a final word on this. In his last weblog from Hong Kong, he ironically stated that in the end only one imbalance was left at the negotiation table – the gender gap: only three of 30 ministers in the decisive Green Room were female. Not only does this comment acknowledge gender implications with regard only to political representation, without considering the content and impact of the negotiated agreements, but his flagging up of the gender gap in this context was instrumental in covering up other democratic deficits and power inequities in the negotiations and in the trade rules themselves.

### Is a bad deal better than no deal?

The declaration finally adopted by the WTO members is based on the logic that a bad deal is better than no deal. Despite the discontent articulated by many governments and NGOs with the imbalances in the declaration, the final consensus reaffirms the WTO as a multilateral institution and opens the way for further decisions to be taken in Geneva on deeper and more rapid liberalisation. The demands and concerns of developing countries have been sidelined by a concerted campaign to recapture the moral high ground for trade by using the rhetoric of development to mask the neoliberal assumptions that open markets and free trade are essentially always favourable for development in each and every country.

The scenario of the negotiations at Hong Kong was determined by the fragmentation of interests, in particular within the South, by a new configuration of power relations and tremendous political pressure by the North on weaker developing countries to agree to a deal. In particular, the formation of the New Quad, the alliance of old and new global players – the EU, the USA, Brazil and India – after the Cancún Ministerial, symbolised the end of the simple North-South confrontation and permitted the irreversible differentiation between the 'more advanced' and the 'least developed' countries of the South. The brief coalition of a G110 in Hong Kong failed to repeat the unity of the South which had caused the breakdown of negotiations in Cancún. The obvious diversity of interests within the South was used by the North to drive a wedge between least developed and developing countries by promising exemptions from the liberalisation rules and special aid benefits to LDCs only.

Prior to the Ministerial, the EU constantly reiterated that this was a 'round for free for developing countries'. But the actual content of the 'development package' used in the negotiations as a peace offering was a repackaging, as aid, of measures that in reality promote trade liberalisation and aim to cover adjustment costs. A huge proportion

of this will be provided as loans. In what amounts to a bribe for trade liberalisation, the new aid offered at Hong Kong is conditional on implementing the liberalisation. Developing countries will be forced to liberalise before they have built up the supply capacity needed to engage in trade, be it in industries or services.

Regarding agriculture, the main benefit for the South was the agreement of a date for the final phasing out of export subsidies by developed countries in agriculture by 2013. However, this date is far too late. By then it is likely that continued dumping of agricultural products in the South will have destroyed the livelihood of many more small-scale farmers and petty traders, the majority of whom, in many countries, are women.

As ever, the industrialised countries gave a little with one hand and took a lot with the other: no disciplines were agreed on trade-distorting domestic support in the area of agriculture, so that the structure of subsidisation by the EU and the USA remains intact. The EU, for example, can continue with domestic support to the tune of \$55 billion after 2013, by using the green box exemption for certain products. With cotton, the WTO calls for elimination of export subsidies by 2006, but does not deal with the domestic subsidies under which the majority of trade distorting supports are reported.

The 'Swiss formula' agreed upon for the reduction of tariffs on non-agricultural products (including forest and fishery products) cuts higher tariffs proportionately more than lower tariffs. Developing countries tend to impose high tariffs in order to protect local production and as a key source of revenue, and the Swiss formula, therefore, penalises them disproportionately and deprives them of a key protectionist measure.

Applying the Swiss formula implies a high risk that domestic producers will be driven out of business by cheap imports and a process of deindustrialisation will take place. In labour-intensive industries and crafts, in production outsourced into workshops and home-based work, in the collection and processing of non-timber forest products, and in the traditional or industrial processing of fish products, many women earn their living. The massive reduction of high tariffs will result in the collapse of domestic industries, and another alarming loss of jobs and livelihoods.

The so called 'development package' offers duty-free/quota-free access for at least 97% of products originating from LDCs, defined at the tariff line level, by 2008. Thus, developed countries will have the right to exclude up to 3% of tariff lines from duty-free/quota-free access. In the case of the USA, this amounts to around 300 products and would allow the USA to exclude, for example, textiles imports from Bangladesh and Cambodia, which are these countries' most competitive export products.

Additionally, tariff cuts in any sector reduce state revenue

and increase the fiscal problems of highly indebted developing countries. The budgetary squeeze ends up in cutting down social expenses and public services, which has a disproportionately adverse effect on poor citizens – the majority being women – and their access to health, social security, education, and the social and physical infrastructure of their society. Once again, the potential of developing countries to strive for the achievement of the MDGs is curtailed.

As the Swiss formula reduces the flexibility of developing countries to determine to what extent to protect or liberalise the industrial sector, the agreed-upon mandatory participation in plurilateral negotiations on service liberalisation undermines the basic GATS principle of flexibility. This erodes the right of Southern governments to choose which service sectors to open, and to invest and develop a sound public sector, according to their own national needs. Poor women rely on the public provision of essential services and free or affordable access to the relevant institutions.

This move against the flexible opening of markets in developing countries, implied in the Hong Kong declaration, and the continued protectionist measures in the North are development-distorting, inadequate to the needs of most of the developing countries but conducive to corporate interests in the North. The promise of development and trade rules favourable to the South, made at Doha, has been overthrown at Hong Kong.

### Inside–outside strategies

Inside the conference centre, the argument was used that, because of insufficient data, there is no empirical proof of the adverse effect of trade liberalisation on women; but outside, narratives of the life experiences of farmers, workers and migrant women spoke another language. In workshops and a colourful women's march through the streets of Hong Kong, women made their analysis and perspectives visible. Highlighting micro–macro linkages, they focused on the relation between food sovereignty and gender, the impact of tariff cuts and debts on public goods and services. They focused on how small-scale farmers, street vendors and handicraft producers are outcompeted by big industries or TNCs and how 'trade in humans' is legitimised and migration restricted through Mode 4 of GATS. This exposure of the complex relationship between trade liberalisation, women's work and social reproduction was another means of economic literacy training and of multilateral networking from below.

This inside–outside strategy of trade advocacy, which civil society groups and social movements critical of the WTO agenda have developed coherently in recent years, is an effective way of challenging neoliberal economic policies and influencing public opinion. Contrary to their position a



few months earlier, media reports from Hong Kong took up civil society critiques and dismantled the myth that trade liberalisation is a universal panacea for poverty, bestowing growth and wealth in each and every country. As a reaction to the scandalising of the ongoing privatisation of public services in developing countries, at the beginning of December 2005 the government of Norway withdrew its GATS requests to least developed countries related to the liberalisation of the education, electricity and water sectors. And in January 2006 massive public protest in Thailand caused a breakdown of the bilateral negotiations between Thailand and the USA.

However, the inside–outside strategy of advocacy critical of trade liberalisation could not influence the outcome of the Hong Kong Ministerial. The final consensus on the declaration has been a licence given by 149 member states to the WTO as a multilateral institution to continue with the roadmap of progressive liberalisation. Therefore, critical trade advocacy has to continue as well. The result from Hong Kong has highlighted once again the need for pluri-level and pluri-focal advocacy work: alongside monitoring and following the WTO negotiations in Geneva it is necessary not to lose track of bilateral and regional trade agreements and liberalisation processes. This means contesting neoliberal trade policies at the national and regional (e.g. EU) levels and addressing and influencing the public and parliaments. Additionally, not only the WTO but other global players promoting the neoliberal market and development concept have to be challenged – from the

international financial institutions to departments for development aid in national governments in the North.

Feminist networks have to keep the gender–trade–development nexus on the top of their agenda because the influence of macroeconomic policies on women's lives and livelihoods is on the increase because of the growing commodification, marketisation and transnational trading of products and services, natural resources and living organisms. They have to generate their own knowledge systems which contest orthodox economic thinking as well as the neoliberal development model. Critical and alternative thinking must be disseminated via capacity-building initiatives. Research and case studies on gender and the globalisation of the free trade model must support advocacy and lobbying at the national, regional and multi-lateral levels. Taken together, this activity enhances the repoliticisation of the development and trade discourse by prioritising a human and women's rights perspective and the need for sustainable development.

In alliance with other NGOs and social movements, WIDE will strive to exert pressure on EU trade and development policies while raising gender issues and a human rights perspective. It will attempt to strengthen strategic alliance building between women's organisations in the EU and the South and to enhance women's political assertiveness and capacities to influence policy changes and initiate alternative economic practices.

# APPENDICES

**BARBARA UNMÜBIG,**  
Heinrich Böll Foundation

## WTO – ENVIRONMENT, GENDER AND DEVELOPMENT: THE APPROACH OF THE HEINRICH BÖLL FOUNDATION

### The WTO, rights and sustainability

The WTO, which sets the rules for international trade, embodies an unshaken belief in the benevolence of market forces. Focusing on the removal of so-called barriers to trade, it seeks to establish open markets across the globe, unencumbered by culture, political traditions, social rights, or environmental protection. However, the Heinrich Böll Foundation argues that trade liberalisation can best be a means to an end but should not be an end in itself.

Given the differences in an unequal and complex world, it is not surprising that the application of rigid free-trade standards across sectors and countries can cause great harm. For example, farmers have been ruined in India by the import of cheap edible oils and in Mexico by cheap corn from the US. Such effects are often dismissed as the unavoidable cost of higher aggregate welfare in the future. Yet this kind of argument flies in the face of human rights. The UN Universal Declaration of Human Rights, along with the subsequent Covenants, override free trade rules or structural adjustment regimes. Given that access to food, water, and elementary means of subsistence is part and parcel of human rights, trade liberalisation will have to be limited when fundamental livelihood rights are at risk. Against this background, the most suitable sector for free trade might be industrial goods. In contrast, agriculture, water, land, and basic services, such as health, housing, and education, are not natural candidates for trade liberalisation.

### The Heinrich Böll Foundation's Globalisation Programme

HBF has its own interregional and interdisciplinary globalisation programme. Together with our partners we aim at developing options for a social, gender-just and ecologically sustainable globalisation and to bring them into multilateral trade and environmental negotiations and debates. We cooperate, through our network of 25 offices, with organisations in most of our 47 partner countries and

work on these issues in Germany with publications and conferences.

Aiming to contribute to wide acceptance of the importance of public goods and the necessity of their provision in the current debate on privatisation, we focus on energy, climate stability, water and cultural diversity, employing the following instruments:

- We monitor and analyse:
  - the existing international trade system and its multi- and bilateral agreements and treaties;
  - the international climate regime;
  - policies and measures in the context of water and energy supply and safety;
  - policies and sector analyses on gender-specific perspectives.
- We contribute and support activities to formulate socially and ecologically sound reforms and political alternatives with respect to the current neoclassical politics;
- As a political foundation we prioritise the empowerment of civil society actors and members of democratically elected parliaments;
- We support and enhance international networks and organise dialogues among relevant civil society organisations and international networks;
- We support communication and publish studies on global issues.<sup>55</sup>

### The need for WTO reform

The present state of the multilateral world trade system is nothing to be proud of: it deepens economic imbalance. Even though formally its members are equals, its structure is hierarchical and opaque. It favours the industrial countries, mainly the EU, whose export of goods (40%) is far beyond that of the USA (13%) and Japan (7%). The industrialised countries pursue liberalisation and the opening up of markets or use protectionism to their advantage, according to where their interests fit best.

Until now, the WTO has massively supported these interests in its basic principles, rules and regulations. The industrial countries continue to dominate world trade in all its aspects, possessing massive global advantages. On the other hand, emerging economies are beginning to catch up. Since Cancún, at the very latest, they have

<sup>55</sup> For more information on our activities on international trade policies and fair trade, globalisation and sustainability, and culture and globalisation, please visit <http://www.globalalternative.org/>.

understood that the WTO may not be perfect but at least gives them a multilateral framework within which they can demonstrate their increased political and economic clout.

Yet the collapse of the Cancún negotiations is an unmistakable warning that there are conflicts, contradictions and imbalances within the international trade regime. Its most important organisation, the WTO, is experiencing a real crisis. The current system of world trade is in need of radical reform. A WTO which not only has dramatically increased its range of tasks but also has delusions of omnipotence is certainly not desirable. It should return to concentrating on its original tasks, such as the regulation of tariffs and trade-distorting subsidies. An almighty super-agency that encroaches upon environmental, social, consumer and human rights policies solely according to economic perspectives cannot be the objective for people who are fighting for social, ecological and human progress.

So far, the developing countries, acting together, have managed to prevent the WTO from extending its sphere of responsibility to investments and competition. They should follow this path consistently. But at the same time they have to ask themselves whether they do not bear partial responsibility for the UN's continued loss of influence in social and environmental matters, as desired mainly by the USA.

### Towards a democratic WTO

Although 80% of WTO members are developing countries, they have been excluded from the preparation of important decisions and their clearly formulated majority positions have not been considered. Exclusive decision-making must be replaced by transparent procedures. How this can be done while maintaining efficient decision-making processes has not been answered satisfactorily yet, but concrete suggestions include increasing the authority of developing countries and publishing all negotiation texts.

In fact, WTO rules have not, to date, really enabled a balance of interests between developing, emerging and industrialised nations, involving the cooperative negotiation of compromises by equal partners, in which everybody must make concessions. If such a balance of interests is to be attained, there is no alternative to a multilateral trade regime.

More than ever, fair international trade policies require democratic social and ecological rules. A WTO reformed in this way has the best prerequisites for their implementation. No other multilateral organisation in the world has **dispute resolution mechanisms** that impede unilateral claims to power and the potential use of trade policy as blackmail. And unlike the IMF and the World Bank it is the only economic-political organisation in the world that guarantees all countries the same voting rights. It is

imperative to use this to the advantage of developing countries. A standing body of elected (not appointed) judges should be established, all interests must be heard, proceedings must be open to the public, and financial and technical support must be available to enable members to file cases for dispute settlement.

The relationship between international trade laws and international human and social standards and environmental law must finally be clarified. Thus it is imperative that the WTO recognise global conventions and agreements for the protection of human rights, work and social rights of ILO and confirm it as binding under international law.

Finally, social and environmental impact assessments as well as extension of the factors of assessment (gender and culture) is needed before negotiations start on a given item.

### Trade and environment

- **Give priority to environmental treaties over trade agreements**

Two years after the Rio Conference, the Uruguay Round was brought to an end by the establishment of the WTO. The Uruguay Round negotiators made little effort to incorporate the Rio commitments into their deliberations. Indeed, many WTO provisions contradict the spirit and in some cases the letter of the Rio conventions and other environmental accords. In addition, environmental treaties generally include non-binding and voluntary dispute resolution procedures, in contrast to the WTO's system of binding rules ultimately enforceable by trade sanctions. Several environmental treaties, including the Montreal Protocol, CITES and the Cartagena Biosafety Protocol, contain provisions that are arguably at odds with WTO rules, especially since environmental treaties aim to curb harmful forms of commerce, such as trade in endangered species and hazardous wastes, whereas the WTO is in the business of tearing down barriers to the flow of goods across borders. Although no country has yet lodged a formal WTO challenge against the provisions of a multilateral environmental agreement, arguments about WTO consistency often arise during environmental treaty negotiations, for example the Biosafety Protocol.

The Doha declaration therefore launched negotiations aiming at clarifying the relationship between the multilateral trade and environment regimes, information exchange between WTO committees and MEA secretariats, and the liberalisation of trade in environmental goods and services. These negotiations have not progressed very far, however, and most civil society organisations now rightly fear that the negotiations could make things worse.

A reform is urgently needed, but unlikely to emerge from the negotiations, would be to amend the environmental exceptions to the WTO in order to clarify that trade measures taken pursuant to MEAs should be protected from challenge at the trade body. Such a provision would enable MEAs to enact rules for economic activities across borders. This would, in turn, ensure that the sustainable development imperative had priority over economic efficiency, and that the common good trumps corporate good.

- **Widen the space for political autonomy**

Article XX of GATT/WTO allows countries to regulate trade if necessary to protect human, animal or plant life or in relation to the conservation of exhaustible natural resources. However, two conditions with important implications for governments' decision-making space are attached to this exception. First, trade restrictions can be based only on the physical characteristics inherent to import products, not on factors inherent to production processes abroad. Governments may not address a collective preference as to the chemicals used to produce clothing, the provenance of wood products, or the use of genetic engineering methods on crops. Second, trade measures must be based on scientific principles and sufficient scientific evidence. Imports can only be regulated in case of risk, and the presence of risk must be demonstrated by the importing country through scientific evidence.

There are two different roads for overcoming the WTO barriers to sustainability. Either the organisation comes up with environmental standards globally, or the space for political communities, usually represented by national governments, is widened to allow for the right environmental choices to be implemented. For reasons of democracy and subsidiarity, we favour the latter: countries need to be able to express public choices about non-desirable production processes through the governance of trade, otherwise the democratic option for sustainable production is annulled. Countries should also be able to apply the precautionary principle. If the space for democratic self-rule is widened, fears of Northern protectionism against the South lose ground. Both North and South must be able to protect the public good; fortuitous economic inefficiencies will then be considered a minor evil. In any case, it is desirable that rules are not unilaterally adopted, but minimum standards multilaterally agreed upon by the parties involved. This would foster attention to mutual interests rather than individual victory; and it would fit into a long-term vision of a world trading system structured by cooperation between countries rather than competition between corporations.

- **Treat environmental non-cooperation as an unfair subsidy**

The WTO is about creating an even playing field between foreign and domestic producers. However, an up-to-date

trading system should create an even playing field between environmentally sound and environmentally destructive production. But this is not the case: everywhere, the playing field is skewed to give an extractive economy massive advantages. Public money often helps to ruin the environment. The WTO could play a more constructive role if it enacted the reduction and gradual elimination of environmentally perverse subsidies worldwide, in order to give sustainable production an equal chance.

Furthermore, failure to adhere to an MEA should be considered an unfair subsidy to domestic industry. Foreign competitors, who might have to comply with rules deriving from the MEA, may be at a disadvantage. For instance, the US and Australia are the only major countries which have declined to participate in the Kyoto Protocol. In our opinion, this non-cooperation amounts to a hidden subsidy on the world market. Since the rest of the world community is put at a competitive disadvantage if the US remains exempt from reductions, such a situation is inconsistent with the WTO's philosophy.

### **Trade and gender**

From HBF's experience in its work with partner organisations in the regions, from its policy monitoring observations and its understanding for a holistic approach to development as sustainable development, it is clear that any consideration of the trade and development nexus is only complete if supported by strong consideration of the gender-differentiated impacts of trade and the gender-differentiated needs for development.

In its Gender and Globalisation work area, HBF concentrates on the following:

- **Improvement of the methodological and empirical basis on the impact of global trade policies on gender relations**

We have commissioned and published a number of studies on gender and globalisation in various countries, e.g. on the impact of the WTO Agreement on Agriculture on women and children in five Asian countries (published as Empty promises, empty stomachs).

Our toolkit for scientists and women's networks aims to help fill the gap in meaningful gender-specific analysis, and we have commissioned a study for the development of a methodology, based on a model or matrix, for the integral gender analysis of free trade agreements. Central questions and indicators have been developed, and the model has been applied to the Mexico–EU free trade agreement. The methodology enables civil society and state organisations to bring the gender perspective into the early stages of negotiations and to ask the right questions at the time of the impact assessment.

- **Capacity building**

In order to strengthen the knowledge base on macroeconomic processes of women's networks and organisations, HBF has developed an Engendering Macroeconomics programme, built around a biennial regional and international Summer School. The 2005 Summer School attracted about 60 participants worldwide and discussed global agriculture policy and especially the functioning and impact of the WTO AoA.

- **Networking**

Another important aspect of our work is to promote exchange between international women's networks and strengthen their participation in international negotiations. Organising political influence on economic globalisation from a gender perspective and linking scientific and political debates are among our chief tasks.

### **Trade and development**

Any regulation for balancing the global trade system more fairly is highly complex. The compulsion to liberalise and privatise at any cost undermines the political space for different development strategies. The industrial countries must finally acknowledge the diversity of national development policies. That is why it is so important to reform the rules and regulations. HBF submits proposals in this regard, supports publications and studies and conducts seminars and conferences in the region and Germany.

- **Agriculture**

The impact of trade on development is probably clearest in the agriculture sector, where there is also a strong link with environment. With more than two-thirds of the world's poor in rural areas, most of them women and/or subsistence farmers, it is obvious that sustained development can only be achieved if international trade agreements honour the notion not only of food security, but food sovereignty, which focuses on guaranteeing the livelihoods of small-scale and subsistence farmers, male and female, in developing countries. Also, for so many of the world's poor who depend utterly on natural resources, the protection of the environment from deforestation, erosion,

lack of water and water-intensive export agriculture becomes a matter of survival that far transcends the issue of market access – although guaranteeing developing-country exporters a fair access to e.g. EU agricultural markets is vital. Likewise, trade-distorting EU agricultural subsidies which lead to dumping of EU agricultural products at below-production prices in developing-country markets (e.g. frozen chicken parts in West Africa; see p00) undermines the market participation and livelihoods of small local farmers, many of them women.

Addressing many of these concerns, some NGOs, including HBF, demand the creation of a 'development box', based on the notion of local food sovereignty, which would allow countries to make exceptions for sensitive products and would allow for special safeguard mechanisms and special and preferential treatment.

- **Global public goods and services liberalisation**

It is clear from the UN's work on the MDGs that the provision of basic service infrastructure, particularly in health and education, has the most far-reaching development effect, especially for women and girls (reduction of child and maternal mortality, girls' schooling, etc.). However, the provision of basic services in many developing countries is insufficient, both because developing countries that depend heavily on the income from trade tariffs to fund public services lose income and have to cut these services when trade is liberalised, and because the privatisation of services such as health, education, energy, and water usually pushes up service fees to consumers.

Every citizen has a birthright to food, water, healthcare and education. Access to these common goods is not a matter of choice, but a necessity. People have no alternative when prices rise beyond their reach. Therefore, the provision of these goods cannot be left to markets. The human community has the obligation to ensure universal access for all its members to these goods. From this perspective, transnational privatisation of water delivery and basic services is likely to turn into a social disaster. Since the poor have little purchasing power, they are likely to be the first to lose out. Privatisation must therefore be subordinated to the common good, and unregulated cross-border competition must consequently be carefully circumscribed in scope.

# Hearing programme

European Parliament,  
Building ASP (Altiero SPINELLI), 1st floor, Room 1G2, Rue Wiertz, 1047 Brussels, BELGIUM

9 November 2005

## 9.30 REGISTRATION

**Sirra Ndow**, Regional Coordinator, Network of African Women Economists and National Coordinator NAWEGAM, Gambia: The WTO and the privatisation of water: A thread to women's rights.

## 10.00–10.30 WELCOME AND INTRODUCTION

Fair future. Environment, human rights, and world trade

**Pierre Jonckheer**, MEP, Member of the Intergroup on Globalisation and the Committee on International Trade

## 12.00–13.00 DISCUSSION

**Barbara Unmüssig**, Member of the Executive Board, Heinrich Böll Foundation

## 13.00–14.30 LUNCH BREAK

**Wolfgang Sachs**, Senior fellow, Wuppertal Institute for Climate, Energy and the Environment

## 14.30–16.00 SESSION TWO

**Sustaining a future for agriculture: Towards people's food sovereignty and biosafety**

## 10.30–12.00 SESSION ONE

**Nature for sale? Commodification of natural resources under the WTO**

Facilitator:

**Friedrich-Wilhelm Graefe zu Baringdorf**, MEP, Vice-Chairman Committee on Agriculture and Rural Development

Facilitators:

**Robert Sturdy**, MEP, Group Coordinator, Committee on International Trade, Substitute Committee on the Environment, Public Health and Food Safety

**Helmuth Markov**, MEP, Group Coordinator, Committee on International Trade

Which global rules are needed to support people's food sovereignty and sustainable methods of agriculture? How will the EU address unfair gender relations in agricultural trade policies? What can the EU contribute to a strengthened system of biosafety taking into consideration the recent trade dispute on GMOs in the WTO. This session would address the agricultural negotiations as well as the current US led dispute against Europe's precautionary stance on GMOs in the WTO. A landmark decision on the worldwide use of GMOs is expected in early 2006 with implications for agricultural production in Europe as well as in developing countries.

With the EU's 'all sectors' approach water, fish, forests, oil, gas and mining are likely to be further commodified under the NAMA and GATS negotiations. How is this in line with the EU's commitment to sustainable development, the MDGs, the outcomes of the WSSD and the Beijing + 10 review?

**Rupert Schlegelmilch**, Head of Unit, European Commission, DG Trade: The EU's position for effective sustainable resource management in the WTO

**Claus Sørensen**, Head of Cabinet, European Commission, Directorate General for Agriculture: Towards sustainable agriculture worldwide

**Ronnie Hall**, Trade Programme Coordinator, Friends of the Earth International: Nature for sale? Commodification of natural resources and the environment in the WTO

**Mariano Iossa**, Food and Trade Policy Adviser, ActionAid International: The EU's latest agricultural offer: Real cuts or smoke and mirrors?

**Miguel Lovera**, Coordinator, Global Forest Coalition, Paraguay: Saving the forest from trade, not saving the forest for trade

**Oduor Ong'wen**, Director, SEATINI, Kenya: Towards people's food sovereignty: Steps the EU should take.

**Úrsula Oswald**, Universidad Nacional Autónoma de México and First Chair on Social Vulnerability at the UNU-EHS: Sustaining a future for food sovereignty and gender equality

**Meena Raman**, Chair, Friends of the Earth International, Malaysia: The GM case at the WTO: Towards a strengthened system of biosafety

#### 16.00–16.30 DISCUSSION

#### 16.30–18.00 SESSION THREE

**On the road to Hong Kong: Towards a sustainable, gender-fair, just governance**

Facilitator:

**Frithjof Schmidt**, Group Coordinator of the Development committee and Substitute Member of the International Trade committee

Speakers would address negotiations which are predicted to make significant progress in Hong Kong, agriculture, NAMA negotiations, services and trade and environment taking into consideration the outcome of Beijing + 10, the WSSD and the MDGs.

**Renate Nikolay**, Member of Cabinet of the EU Trade Commissioner Peter Mandelson in dialogue with:

**Noeleen Heyzer**, Executive Director, United Nations Development Fund for Women (UNIFEM)

**Martin Khor**, Director, Third World Network, Malaysia

**Christa Wichterich**, Women in Development Europe

**Alexandra Wandel**, Trade Programme Coordinator, Friends of the Earth Europe

#### 18.00–18.30 DISCUSSION

We gratefully acknowledge the excellent work of our volunteer interpreters:  
**Thomas BOWRING, Stefanie D'ARGEMBEAU, Leah MAITLAND and Christine PAILLET.**

## Biographical notes on speakers and facilitators

### **Mr Friedrich-Wilhelm GRAEFE ZU BARINGDORF MEP**

Born on 29 November 1942 in Spenge, Germany, Friedrich-Wilhelm Graefe zu Baringdorf is a Member of the Group of the Greens/European Free Alliance in the European Parliament. He is Vice-Chairman of the Committee on Agriculture and Rural Development and Member of the Temporary Committee on policy challenges and budgetary means of the enlarged Union 2007 to 2013 and of the Delegation to the EU-Chile Joint Parliamentary Committee. He has been a Member of the European Parliament since 1984.

Friedrich-Wilhelm Graefe zu Baringdorf obtained his Master's diploma in farming in 1968, and his PhD on 'Labour relations and socialisation of young farmers' in 1982. In 1980 he converted his 50 ha. holding in eastern Westphalia to organic farming methods. He is a founding member of the German Small Farmers' Association (AbL) and has also been its chairman since its foundation in 1996.

### **Ms Ronnie HALL, International Coordinator on Trade, Environment and Sustainability, Friends of the Earth International**

Ronnie Hall is the International Coordinator of Friends of the Earth International's Trade, Environment and Sustainability Programme, which she helped to establish in 1992. She has led FOEI teams participating in WTO Ministerials in Singapore, Seattle and Cancún and has been involved in writing and editing numerous trade-related publications during that time, including 'Towards Sustainable Economies: challenging neoliberal economic globalisation'. She is also an active participant in the Our World Is Not For Sale network, on behalf of FOEI.

### **Ms Noeleen HEYZER, Executive Director, United Nations Development Fund for Women (UNIFEM)**

Born in Singapore, Noeleen Heyzer received a BA and MA from the University of Singapore and a doctorate in social sciences from Cambridge University. Noeleen Heyzer has received several awards for leadership, including the UNA-Harvard Leadership Award, the Woman of Distinction Award from the UN-NGO Committee on the Status of Women, the Dag Hammarskjöld medal in 2004 and the NCRW 'Women Who Make a Difference' Award in 2005.

Noeleen Heyzer is currently the first executive director from the South to head the UNIFEM, the leading operational agency within the UN to promote women's empowerment and gender equality. Before joining UNIFEM, Ms Heyzer was a policy adviser to several Asian governments on gender issues. Ms Heyzer has been a founding member of numerous regional and international women's networks

and has published extensively on gender and development issues, especially economic globalisation, international migration and trafficking, gender and trade, and women, peace and security.

### **Mr Mariano IOSSA, Food and Trade Policy Adviser, ActionAid International**

Mariano Iossa joined ActionAid International as Food Trade Policy Adviser in 2005 after working in The Gambia with Concern Universal. Before this, he worked in Brussels for three years as a trade lobbyist for the Fair Trade movement, specialising in agricultural commodities. He also worked as an environmental management consultant in Italy and consultant on EU funding programmes in Belgium. He started his career as policy assistant for a Member of the European Parliament. He holds an MA in Environment & Development at the University of Sussex (UK) and a BA (Hons) in International Politics at the Istituto Universitario Orientale (Italy).

### **Mr Pierre JONCKHEER MEP**

Pierre Jonckheer received a Master's degree in economics from the Catholic University of Louvain in 1974. From 1984 to 1989 Pierre Jonckheer worked as a researcher for the European Social Observatory in Brussels, and became the observatory's director in 1989. From 1991 to 1999 he was both Member and Chairman of the Ecolo Group in the Belgian Senate. In 2001 he was elected vice-president of the Greens/ European Free Alliance parliamentary group and was re-elected in 2004.

Pierre Jonckheer has been a Member of the European Parliament since 1999. He is a Substitute Member of the Committee on International Trade and the Subcommittee on Human Rights. Much of his current work has been centered on the Bolkestein Directive and the issue of services of general interest.

### **Mr Martin Kok Peng KHOR, Director, Third World Network**

Martin Khor is the director of Third World Network, a network of several NGOs in different parts of the developing world. As an economist trained at Cambridge University, he has lectured on economics at the Science University of Malaysia and written several books and articles on trade, development, and environment issues. He is also honorary secretary of the Consumers' Association of Penang in Malaysia, and a board member of the International Forum on Globalization. Formerly, he served as vice-chairman of the United Nations Commission on Human Rights Expert Group on the Right to Development. He has also been involved in several UN research studies.



**Mr Miguel LOVERA, Coordinator, Global Forest Coalition**

Miguel Lovera was born in Paraguay in 1966. He is an agronomist specialising in agroforestry and in environmental and public policy. At present, he lives in the Netherlands and works for the Amsterdam-based Global Forest Coalition, as its International Coordinator.

He served as a member of the Ad hoc Technical Expert Group on Biodiversity and Climate Change established by the Convention on Biological Diversity.

He has worked as sustainable development specialist at the Dutch committee of the IUCN, the World Conservation Union. In his country, he also worked in the planning of the City of Asunción riverbank development project, based in the municipality of that city. At the same institution, he was also coordinator of the Technical Programme for Land Management, in charge of developing training activities for public agents and local society on land management and restoration issues. He has also lectured on alternative and traditional agricultural technology at faculty of Agronomy of the University of Asunción.

**Mr Helmuth MARKOV MEP**

Helmut Markov is the Treasurer for the Confederal Group of the European United Left – Nordic Green Left. He is a member of the Committee on International Trade and Temporary Committee on policy challenges and budgetary means of the enlarged Union for 2007 to 2013. He is also a member of the Delegation to the EU-Ukraine Parliamentary Cooperation Committee and Substitute Member for the Committee on Transport and Tourism and of the Delegation to the EU-Moldova Parliamentary Cooperation Committee.

Helmut Markov graduated in engineering in 1976 and obtained a Doctorate in engineering in 1984. He was a student at the Kiev Polytechnic Institute in Ukraine 1970 to 1976 and head of the research and development division from 1976 to 1990. From 1994 to 1996 he was the PDS Regional Chairman in Brandenburg. He was a Member of Brandenburg Regional Assembly (1990–1999) and has been a Member of the European Parliament since 1999.

**Ms Sirra NDOW, National Coordinator, Network of African Women Economists, Gambia Chapter**

Sirra Ndow is the Regional Vice-Coordinator of the Network of African Women Economists (NAWE) and the National Coordinator of NAWE, The Gambia. She holds a MSc in Development Economics from Cornell University, USA. Sirra Ndow's previous work experiences include working for the Government of The Gambia, UNDP, and civil society organisations. She has conducted various consultancy work in these areas: the Economic Partnership Agreements, Poverty/PRSP, NEPAD, Gender mainstreaming, Gender budgeting, Macroeconomic policies and gender, women's economic capacity/access to

resources. Sirra Ndow is a member of WIDE's Working Group on Economic Literacy, and a member of Gambia's civil society platform and the Gambia social forum.

**Ms Renate NIKOLAY, Member of Cabinet of Trade Commissioner Peter Mandelson, DG TRADE, European Commission**

Renate Nikolay has been a member of the Cabinet of the Commissioner for Trade Peter Mandelson since November 2004 and is in charge of South-East Asia, rules and standards, food safety, trade and agriculture, trade and environment, trade and social affairs, intellectual property rights, trade and competition, trade and investment, transparency in government procurement, relations with the European Parliament. Prior to her assignment in the Cabinet of Peter Mandelson Renate Nikolay was a member of the European Commission's trade directorate's WTO Coordination Unit and, from 2002 to 2003, Counsellor in charge of External Trade Policy for the Permanent Representation of Germany to the European Union in Brussels. Renate Nikolay studied law in Berlin, Grenoble and Washington D.C.

**Mr Oduor ONG'WEN, Country Director, Southern And Eastern Africa Trade Information And Negotiation Institute (SEATINI), Kenya**

Oduor Ong'wen is the Kenya Country Director of SEATINI. From 2000 to 2004 he was also Executive Director of Eco News Africa. He holds a Master's Degree in Economic Policy of Developing Countries and a BSc in Mathematics and Chemistry. He is also an expert in world trade issues and sustainability and is a member of the EcoFair Trade Dialogue project of the Heinrich Böll Foundation.

**Ms Úrsula OSWALD SPRING, First Chair on Social Vulnerability at the United Nations University at the Institute for Environmental and Human Security (UNU-EHS) / National University of Mexico / Universidad Nacional Autónoma de México (UNAM)**

Úrsula Oswald Spring is a full-time professor/researcher at UNAM's Regional Multidisciplinary Research Centre (CRIM). Since September 2005 she has also been First Chair on Social Vulnerability at UNU-EHS. Between 1994 and 1998 she was Minister of Ecological Development in the State of Morelos, Mexico and National Delegate in Morelos of the Federal General Attorney of Environment 1994-1995.

From 1992 to 1994 she was General Attorney for Ecology in the State of Morelos, and from 2002 to 2004 General Secretary of the Latin American Council for Peace Research. Prior to that she was President of the International Peace Research Association (IPRA) and member of the international non-violent group and the Latin American representative of Diverse Women for Diversity. Úrsula Oswald Spring has written 32 books and more than 200 scientific articles and book chapters.

**Ms Meenakshi RAMAN, Chair, Friends of the Earth International**

Meena Raman is the Chair of Friends of the Earth International and Secretary General of Friends of the Earth Malaysia. After graduating in Law, Meena Raman set up the first public interest law firm in Malaysia, and for 20 years has been involved in environmental struggles in Malaysia including the fight against multinational corporations, defending indigenous peoples' and local communities' rights over land, biodiversity and natural resources. Meena Raman was a founding member of E-LAW – a network of environmental lawyers worldwide.

**Mr Wolfgang SACHS, Senior Fellow, Wuppertal Institute for Climate, Environment and Energy**

Wolfgang Sachs is an author, university teacher, journal editor in his research areas: globalisation, environment, new models of wealth. Since 1993 he has been Senior Fellow at the Wuppertal Institute for Climate, Environment and Energy. He studied theology and social sciences in Munich, Tübingen and Berkeley, was a member of the research group 'Energy and Society' at the Berlin Technical University, editor of the magazine *Development*, and lectures at Pennsylvania State University and the Institute for Cultural Sciences at Essen University. He has been Chair of the Board of Greenpeace Germany and regular scholar-in-residence at Schumacher College, England, and a member of the Club of Rome. Publications include *Planet Dialectics. Explorations in Environment and Development* (London: Zed, 1999) and *The Jo'burg Memo. Fairness in a Fragile World* (ed., Berlin: HBF, 2002).

**Mr Rupert SCHLEGELMILCH, Head of Unit G.3, DG TRADE, European Commission**

Rupert Schlegelmilch, born 1957, in Weinheim, Germany, studied law and political science in Freiburg/Br. and Berlin. After some fieldwork on development issues in East Asia, he joined the German Ministry of Foreign Affairs in 1986, where he held a number of positions in the Political and Foreign Cultural Affairs Department. From 1988 to 1991 he was posted to the German Embassy at The Hague, dealing with economic affairs. In 1993 he joined the Directorate General for External Relations of the European Commission in Brussels as an OECD, and later a WTO, negotiator. He was posted to Geneva 1998–2002 as a Commission Delegate to the WTO, representing the European Community i.a. in the Committees on Trade and Environment and Development. At the end of 2002 Mr Schlegelmilch returned to Brussels and the European Commission's Directorate General for Trade. He heads the unit dealing with Trade and Sustainable Development, including the WTO negotiations on Trade and Environment, and for DG Trade's relations with civil society. He is also responsible for the EU's bilateral trade relations with Greater China.

**Mr Frithjof SCHMIDT MEP**

Frithjof Schmidt was born on 17 April 1953 in Bad Harzburg, Germany. He is a Member of the Group of the Greens / European Free Alliance, Group Coordinator of the Development Committee and Substitute Member of the International Trade Committee. Frithjof Schmidt holds a PhD in social science and has done research at universities in Italy, France and the United States. He has worked for North–South solidarity from the late 1960s. From 1984 to 1988 he was editor of the *Südostasien Informationen* magazine and, since 1991, member of the Executive Committee of the South-East Asia Information Agency in Essen. Since 1989 Frithjof Schmidt has also been the co-editor of the *Informationsbrief Weltwirtschaft & Entwicklung*, a specialist magazine focusing on economy, trade and development. Between 1989 and 1992 he served as Executive Officer for the European Affairs group for the Greens in European Parliament, and thereafter was an advisor and researcher for the Greens in Germany. Since 2000 Frithjof Schmidt has been co-chair of the Greens in Northrhine Westphalia and serves as a permanent Member of the Greens Federal Executive Policy Commission.

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Prior to joining the Commission he worked for the Danish Ministry of Foreign Affairs, holding posts in Copenhagen, in the Danish Delegation to the OECD in Paris, and at the Danish Permanent Representation Office in Brussels. He is a Master of Economic Science from the University of Aarhus (Denmark).

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Robert Sturdy is the EPP-ED Coordinator for the International Trade Committee. He is also a Substitute Member of the Environment and Agriculture Committees, a Member of the EU-ACP Joint Parliamentary Assembly and Treasurer of the Land Use and Food Policy Intergroup in the Parliament. Prior to taking up his current role as Coordinator he was the British Conservative Spokesman on Agriculture and Rural Affairs. Before entering politics

Robert Sturdy trained in accountancy and built up a substantial family farming business, mainly in arable crops, in the North of England. He finds this practical experience invaluable in policy discussions. Active in the British National Farmers' Union, Robert Sturdy held a number of appointments and chairmanships including Chairman of the regional livestock committee and sugarbeet, potatoes and cereals committee and was involved in the WTO Uruguay round negotiations. This experience led to the growth of his interest in international trade and the important role that agricultural and environmental issues play within it. Robert Sturdy was part of the European Parliament's delegations to the WTO Ministerial in Cancún in 2003 and is attending again Hong Kong in December 2005. He has been involved in the International Parliamentary Conference on the WTO.

**Ms Barbara UNMÜßIG, Executive Board, Heinrich Böll Foundation**

Barbara Unmüßig was born in 1956 in Freiburg/Breisgau. She studied Political Science 1976 to 1981 at the Free University of Berlin. She holds a Master's Degree in Political Science. From 1982 to 1985 she worked as a journalist and editor for a Third World journal in Freiburg. From 1985 to 1990 she was a research assistant for the Green Parliamentarian group in the German Bundestag. In 1990 she cofounded the organisation World Economy, Ecology & Development (WEED) and has been its president since then. From 1993 till March 2002 she was executive member of the board of WEED. She was coordinator of the German environment and development organisations in the UNCED-process 1991–1992. In 1993 she cofounded the German NGO Forum Environment and Development and was its spokeswoman until March 2002. In 2000 she was founding member of the German Institute for Human Rights (DIMR).

Barbara Unmüßig has been a member of the Executive Board of the Heinrich Böll Foundation since May 2002. She

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Alexandra Wandel is the trade, environment and sustainability programme coordinator at FoEE in Brussels. She is also a member of the coordination group of the Seattle to Brussels Network, a pan-European network of NGOs and social movements campaigning for sustainable and just trading system. She has monitored the EU's role in the WTO since 1999, including at the WTO Ministerial Conferences in Seattle, Doha and Cancún. Before that Alexandra Wandel worked for Friends of the Earth Middle East in Cairo and Jerusalem and with a member of the European Parliament. She has volunteered with A SEED in Amsterdam and Greenpeace Germany. Alexandra Wandel obtained a MA degree in International Relations with honours from the University of Amsterdam and studied political science at the Free University Berlin.

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#### **Friends of the Earth Europe (FoEE)**

Friends of the Earth Europe campaigns for sustainable and just societies and for the protection of the environment, unites more than 30 national organisations with thousands of local groups and is part of the world's largest grassroots environmental network, Friends of the Earth International. The Trade, Environment & Sustainability (TES) programme of FoEE aims to challenge the unsustainable and inequitable nature of trade and investment liberalisation and to propose and promote alternative, equitable and environmentally sustainable approaches to trade.

<http://www.foeeurope.org>

#### **Women in Development Europe (WIDE)**

Network Women in Development Europe is a European network of development NGOs, gender specialists and human rights activists. WIDE monitors and influences international economic and development policy and practice from a feminist perspective. WIDE's work is grounded on women's rights as the basis for the development of a more just and democratic world order. WIDE strives for a world based on gender equality and social justice that ensures equal rights for all, as well as equal access to resources and opportunities in all spheres of political, social and economic life

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#### **The European Parliament Globalisation Intergroup**

The Globalisation Intergroup was founded in 2005 with the support of the PSE, GUE and the Greens. People all over the world are being affected by globalisation: some positively, some negatively. The objectives of the Globalisation Intergroup are: to quell the negative impact of globalisation, ensure that its advantages are evenly shared and campaign for new forms of financing for development in poverty-stricken parts of the world. By holding hearings, instigating reports, and lobbying governments at all levels, the Globalisation Intergroup is endeavouring to ensure that the "right" type of globalisation reaches everyone around the world.

#### **Heinrich Böll Foundation**

The Heinrich Böll Foundation, affiliated with the Green Party in Germany, is a legally independent political foundation working in the spirit of intellectual openness. The EU Regional Office of the Heinrich Böll Foundation in Brussels was established in 1998. It represents the Foundation in contacts with European and international institutions (EU, NATO, Council of Europe), with associations, non-governmental organisations and with the media. Its main task is to provide a forum for dialogue of governmental and non-governmental organisations.

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